# The Solicitors' Journal.

*LONDON, MARCH 21, 1863.*

THE METROPOLITAN AND PROVINCIAL LAW ASSOCIATION has presented to the House of Commons a petition against the "Bill to prohibit the issue of writs for actions of debt in the Superior Courts, for sums of less than twenty pounds." It is as follows:—

That this association is composed of nearly 800 practising attorneys and solicitors in England and Wales, and that its objects are to promote the interests of suitors by the better and more economical administration of the law, and to maintain the rights and increase the usefulness of the profession.

That your petitioners have examined the provisions of a bill now before your honourable House, proposing to prohibit the issue of writs for actions of debt in the superior courts for sums of less than twenty pounds, unless by the leave of one of the judges of the superior courts, and to transfer the concurrent jurisdiction of the superior courts, in the cases hereinafter mentioned, to the county court of the district in which the plaintiff resides or carries on business.

That actions for sums under £20 must, as the law now stands, be brought in the county court, under the penalty of the loss of all costs to a successful plaintiff, except in cases in which the superior courts have concurrent jurisdiction.

That this concurrent jurisdiction was preserved to the superior courts by 9 & 10 Vict. c. 95, s. 128, in cases "where the plaintiff dwells more than twenty miles from the defendant, or where the cause of action did not arise wholly, or in some material point, within the jurisdiction of the court within which the defendant dwells or carries on his business at the time of the action brought," for the purpose of preventing the expense and inconvenience to the plaintiff or defendant, of having to attend at a distance from home.

That this concurrent jurisdiction under £20 has been retained by all the subsequent County Court Acts, and a doubt, arising from the language of the 13th section of the 13 & 14 Vict. c. 61, as to the right of plaintiffs to recover their costs of action in the superior courts in such cases, has been expressly removed by the 4th section of the 15 & 16 Vict. c. 54.

That although the present bill proposes to throw the expense and inconvenience of attending at a distance upon the defendant in the first instance, still, as this is only on the condition of the plaintiff giving security for costs, it would place in the way of plaintiffs an obstacle (in poor cases probably often an insurmountable one) before being able to so sue for a just debt. Security for costs has scarcely ever been hitherto required, except from plaintiffs out of the jurisdiction.

That by a writ from a superior court, judgment may always be obtained for an undisputed debt in eight days, and execution issued in eight more, without the expense of any proof, and often at a less cost than in the county court. In the latter court, there being there no procedure analogous to appearance in default of which judgment can be signed, the plaintiff (unless the defendant expressly consents) is compelled, after an interval of often a whole month, to attend the court to prove his undisputed debt. And it often arises that when so attending he finds the summons has not been served. In the superior court he employs his own agent, over whom he has control, to serve the process; but in the county court he is compelled to trust this to the bailiff. If the summons has been served, he obtains judgment for payment, perhaps by instalments so small as not to be worth the trouble of enforcing.

That the expense of obtaining judgment in the superior court, in an undefended country action, for a debt not exceeding £20, is £3 14s. 8d., and if execution is required (which is rarely the case), an additional £1 2s. 8d., and 1s. in the pound to the sheriff upon the amount he actually procures by the levy.

That in this action the plaintiff has no personal trouble or expense whatever, his attorney doing everything for him, and all the costs being recoverable with the debt.

That the actual expense of such a proceeding, if no attorney is employed, would not exceed £1 16s., and the sheriff's poundage, if incurred.

That in the county court the court fees alone for plaint and hearing are 2s. 10d. in the pound—*i.e.*, £2 2s. 6d. on a debt of £15, besides the expense of proving the debt in all cases where defendant has not expressly consented to judgment, and 1s. 6d. in the pound on the whole amount of the debt, for execution, whether productive or not.

That in addition to this the plaintiff has to conduct his own case throughout, at the risk of being non-suited, or to pay his attorney (say) £3 costs, £2 5s. of which he cannot recover from the defendant. The only attorney's fee allowed on taxation is 10s. or 15s., according to the amount of the debt.

That in executions from the superior court the plaintiff has the selection of the sheriff's officer, and the number of such officers, the competition that exists among them, or the fear of an action, and the fact of the poundage depending on the result of the levy, generally prevent neglect, delay, or other misconduct.

In the county court, when the plaintiff has paid the poundage, the levy awaits its turn among numerous others, and the defendant's goods are probably removed before the execution is put in force, and this without any provable "neglect, connivance, or omission," on the part of the bailiff, so that the plaintiff has no redress.

That in this way fees, amounting in all to 4s. 4d. in the pound on the debt, are continually being paid to the county court, and the expense of witnesses incurred, without the plaintiff's deriving any beneficial result.

That in case an action in the superior court for a debt not exceeding £20 is defended, it can be, and usually is, tried at a very small expense before the sheriff of the county where the action is brought, under the provisions of the 17th section of the 3 & 4 Will. 4, c. 42. In the Sheriffs' Court attorneys have audience, and it is not usual to employ counsel.

That so great are the advantages of the superior court, that it is a constant practice for plaintiffs to sue there for debts under £20 in cases not within the concurrent jurisdiction, and to bear their own costs.

Your petitioners humbly venture to submit that plaintiffs should have the option in all cases in which court to bring their action.

Your petitioners are aware that these arguments apply to the whole county court jurisdiction, but they would humbly submit that regard should be had to the points they have stated before any addition be made to that jurisdiction.

Your petitioners therefore humbly pray that your honourable House will be pleased not to pass the said "Bill to prohibit the issue of writs for actions of debt in the superior courts for sums of less than £20."

The petition was signed by Mr. Thomas Avison, the Chairman, and Mr. William Shaen, the Deputy-Chairman, of the Association, and Mr. Philip Rickman, the Secretary of the Association.

A COMMITTEE OF THE BRISTOL LAW SOCIETY has also had under its consideration Mr. Bouverie's Writs Prohibition Bill, and has caused to be printed and circulated the following objections to it, viz.—

1. The truth of the preamble of the bill that "it is desirable to protect debtors from being sued in the superior courts of common law for sums not exceeding £20," is denied. The whole course of legislation between debtor and creditor from the Act abolishing arrest on mesne process, in 1838, down to the Bankruptcy Act, 1861, has uniformly been in favour of the debtor at the expense of the creditor, and the present measure is not called for by the mercantile and commercial public.

2. The present system of allowing creditors to sue their debtors, where they are twenty miles apart, for debts under £20, in the superior courts, has been found eminently useful. Reference to the judicial statistics of the country will show that not more than 29,100 "appearances" to 114,301 writs of summons issued in the year 1861 (or *one in four*) were entered, proving that in the vast majority of cases the mere service of the writ is effectual to bring about a settlement of the debt sued for. At present the superior courts jurisdiction is only concurrent with that of the county courts, and suitors already resort to the latter, except in cases where the proceeding there entails greater inconvenience and expense.

3. In the county courts there is no system of "judgment by default" under £20, as is the case in the superior courts, and as no notice is given beforehand of the defendant's intention to admit or dispute a debt, a plaintiff has to come to court at the day of hearing with his witnesses prepared to prove his case, though, as is very frequently the case, the defendant at once admits the debt, and only asks time to pay by small instalments.

4. The inconvenience thus occasioned to creditors (and still

more so to those who live at a distance from the court town) in procuring the attendance of perhaps their traveller who took the order for the goods the value of which is sued for, and of the porters who packed and delivered the goods, is so great that creditors frequently would forego claims under £20 rather than be put to the trouble and expense of suing in the county court for them.

5. The expense of suing for an average debt of £10 in the county courts up to judgment is (where the defendant does not attend), as fixed by the rules, £2 5s., including the attorney's fee, or £3 8s. 6d. where counsel is employed—*exclusive* of witnesses, which, where a traveller has to be taken off a distant journey, may be as much more again; whereas the fixed costs of a judgment and default in the superior courts for *any* amount under £20 are £3 15s. only, which includes all attorney's costs.

6. A writ of summons in the superior courts may be issued and served at any time, and judgment, in default of appearance, obtained in eight days from service; whilst, in the county courts, a summons can hardly ever be had returnable under a month from issuing, and in those towns where courts are held only every other month it sometimes happens to be nearly ten weeks between the issue of a summons and the hearing and judgment thereunder.

7. The county courts have already as much work to do as they can manage, and if more is thrust upon them, an increase of judges, and consequent cost to the country, must ensue.

8. The liberty of the debtor is not affected by this measure, as at present a debtor cannot be arrested by superior court process where the debt is under £20.

THE COMMITTEE OF THE MERCANTILE LAW AMENDMENT SOCIETY have just issued their annual report. It contains an elaborate criticism of the Bankruptcy Act, 1861, describes its practical working as very defective, and attributes the failure of the Act to give satisfaction partly to inherent defects, but chiefly to the inefficient manner in which the law is administered. The report states the Bankruptcy Court to be in a worse condition than at any other period, and the committee contend that it will be useless to attempt any amendment of the bankruptcy laws without providing for the appointment of a chief judge, under whose presidency they may be administered with dignity and consistency. The probable causes which led the House of Lords to refuse to sanction the appointment of a chief judge in 1861 are examined, and the committee suggest circumstances under which that House might now be induced to consent to such an appointment. Grave defects in the penal clauses of the Act are pointed out, and the necessity for an immediate consideration of the subject by Parliament is insisted upon. The committee express a hope that if the Government decline to bring it forward Sir Fitzroy Kelly will undertake the task, and they state their conviction that in his hands the question would be satisfactorily dealt with. It is admitted on all hands that the Courts and Practice of Bankruptcy never have been, within the memory of any living lawyer, in such an unsatisfactory condition as at present. The law on many questions of the greatest practical importance is unsettled, confused, and unintelligible; the machinery is for the most part unsuitable and not to be relied on; the commissioners, as a class, do not command the confidence or respect of the public or the mercantile community; the officers who have been introduced under the new *regime* are generally without any previous experience of legal business, and it is no wonder therefore that they have not afforded satisfaction; while the recent job relating to the advertisements of the Court has given the *coup de grace* to every hope of amendment. The existing state of things is a sorry commentary on the years of talking which law reformers bestowed on bankruptcy grievances, and on schemes for their removal.

A POINT HAS RECENTLY BEEN RAISED as to whether a person can be legally apprehended, without a justice's warrant, for fraud, in obtaining money by false pretences with intent to defraud the owner. Two cases recently came before the magistrates at the Westminster Police Court, in both of which the prisoners were charged with fraud in obtaining money under false pretences, and had been taken into custody without warrants having been previously issued for their apprehension. In one case Mr. Arnold decided that the prisoner was wrongly in custody, and discharged him. In the other case Mr. Selfe, differing in opinion with Mr. Arnold, committed the prisoner for trial. Mr. George C. Oke, in a recent communication to a morning journal explaining the law upon the subject, states—

Now, each of the magistrates was, in my opinion, to some extent correct in his view of the law; but one acted incorrectly upon his opinion, if the reasons assigned were as reported. Mr. Arnold was right in saying there was no power to apprehend, but, having the accused before him, he should have heard the case and committed or discharged him; while Mr. Selfe was incorrect in saying there was a power to apprehend, but he very properly disposed of the case upon the merits in the ordinary way.

The disputed point arises, I believe, upon the wording of section 103 of the Larceny Consolidation Act of 1861, which provides that "any person *found committing*" this offence (among others) may be immediately apprehended without a warrant *by any person* and taken before a justice; and, further, that any person to whom any property is offered to be sold, pawned, or delivered, who suspects that an offence has been committed with respect to it, may in like manner apprehend the person offering it. Unless, therefore, the offender is either found committing the offence of obtaining property by false pretences—*i. e.*, seen in the act of committing it, according to the dictum of the Lord Chief Justice in *Horley* v. *Rogers* (29 L. J. N. S. M. C. 140, upon similar language in another Act the case, I presume, alluded to by Mr. Arnold), or is found offering the property for sale or pawn, he cannot be apprehended without a justice's warrant. That view is also the one taken in the recent edition of an established magisterial work, wherein, under the head of "false pretences," after referring to the above enactment and case, it is said that this apprehension clause "is defective, and does not authorize the apprehension of the person committing the offence after its commission, although the offender may have the property in his possession, unless he offer to sell or pawn it."

With regard to the second branch of the question—whether a magistrate should hear a charge against an accused who has not been brought before him in a legal manner—I believe there has been no direct decision one way or the other; but I doubt not, as it is the almost universal practice to do so, that magistrates will act with perfect legality and safety if they hear any charge of an indictable offence without inquiring into the mode of the apprehension of the offender, which is properly the subject for after inquiry in another court should the accused be acquitted. The terms of the Act regulating preliminary examinations before justices in such cases—the 11th and 12th Victoria, cap. 42, sect. 17—will, I apprehend, fully justify that course. It enacts "That in all cases where any person shall appear or be brought before any justice of the peace, charged with an indictable offence, whether committed in England or Wales, or upon the high seas, or on land beyond the sea, or whether such person appears voluntarily upon summons, or *have been apprehended with or without warrant, or shall be in custody for the same or any other offence*," such justice shall, before committing or holding him to bail, take the depositions of the witnesses, &c.

In another communication to the same journal Mr. Oke, referring to his previous letter, states that he

Should have shown, for the information of non-professional readers, that, by the peculiar legal ingredients of the offence of obtaining property by false pretences, the offender cannot be said to be "found committing" the offence (the words of the section authorising his apprehension without warrant), for the simple reason that the falsity of the statement alleged as the pretence is not discovered (except in rare instances) till some time after the pretence is made and the property obtained; for if the owner is aware at the time that the statement is false the offence has not been committed.

THE SYSTEMATIC TOUTING for lawyers' agency business is becoming an intolerable and disgraceful nuisance. We are constantly receiving letters on the subject. This week we have received a batch (all from the country), enclosing a written circular, as follows:—

A solicitor of experience, occupying chambers in the immediate vicinity of the public offices, begs most respectfully to offer

his services in conducting agency business at a yearly salary ranging from £10 upwards, payable half-yearly, and estimated at the rate of *one-sixth instead of the usual agency charges*.

All communications strictly confidential. Good references given. [Address, &c.]

Our correspondents are more or less indignant on the subject, and they all unite in stigmatizing the practice as it deserves. The existence, and, indeed, the very wide extent and operation of this nuisance are now unquestionable. None of our correspondents, however, point out any remedy, and the various law societies, both metropolitan and provincial, content themselves with bewailing the fact. The question is one which ought to be taken up by the Incorporated Law Society, and is not likely to be handled effectively by any other body in the profession. The council of the Incorporated Society, however, appear studiously to abstain from intermeddling with the matter, and the result is, that the evil is beginning to assume disastrous proportions.

THE CIRCUIT CHANGES so long talked of have, we believe, at last been resolved upon. The Northern and Midland Circuits will cease to exist under their present appellations. The counties which they traverse are to be distributed among two new circuits—the Lancashire Circuit to go to Appleby, Carlisle, Lancaster, Liverpool, and Manchester; and the Yorkshire Circuit with the assizes at Newcastle, Durham, and York, with those at Lincoln, Nottingham, and Derby, from the Midland Circuit. The remaining places on the Midland Circuit —Oakham, Leicester, Northampton, and Warwick— are to be added to the Norfolk Circuit.

MR. SERJEANT WRANGHAM, the leader of the Parliamentary Bar, died on the 10th inst. The vacant leadership, we believe, falls by seniority to Sir W. Alexander, Q.C.

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## CAPACITY OF A DEFEASIBLE FEE SIMPLE TO BE MADE IMPEACHABLE OF WASTE BY DECLARATION OF INTENTION.

In the recent case of *Blake* v. *Peters*, before the Lords Justices (11 W. R. 409), the doctrine of repugnancy of provisions and conditions to the nature of the estate whereunto they are annexed, though acted on in some recent cases (*Holmes* v. *Godson*, 8 De G. M. & G. 167; *Barton* v. *Barton*, 3 K. & J. 512), was not allowed to prevail. The point decided in *Blake* v. *Peters*, in conformity with the judgment of Vice-Chancellor Kindersley (10 W. R. 826), was the validity of a proviso annexed by a testator to a devise in fee simple, ceasing the estate, and giving it over, if the devisee should die without issue living at his decease, or if he should cut timber, except for necessary repairs. The devisee cut timber contrary to the prohibition, and died without issue, and the devisee over filed a bill to make the assets of the first devisee answerable for the value of the timber, and it was decreed accordingly. In the case of *Turner* v. *Wright*, before Vice-Chancellor Wood (John. 740), affirmed on appeal by Lord Campbell, C. (2 De G. F. & J. 234), it had been held that the owner of such a limited fee might be restrained from committing equitable waste, such as cutting ornamental timber; but that he was free to commit ordinary waste by cutting any timber other than ornamental. This latter case dealt only with the abstract right of such a tenant, in the absence of any indication of intention on the part of the testator, other than the nature of the estate created might, by legal inference, import. The power of a testator to restrain such a tenant from exercising the legal rights which are incident to the estate, was considered to be doubtful, upon the principles which govern our law of real property. It is clear that at common law, or by virtue of the early statutes of Marlebridge or Gloucester, it would have been impossible to have made a tenant of a determinable fee answerable for waste. This inference seems apparent from the text of Littleton (sect. 350 Co. Litt. 216 b), all determinable fees during their continuance being clearly fee-simple (Plowd. 248, Co. Litt. 18 a). That a tenant in tail cannot be made impeachable of waste seems undisputed (1 Crn. Tit. 2, Ch. 1, sect. 34, 10 Rep. 39), and a bond given to restrain him from committing waste has been held void (*Jervis* v. *Bruton*, 2 Vern. 751); and this privilege continues even after possibility of issue extinct, when, in point of quantity, the estate is reduced to one for life (*Lewis Bowles's case*, 11 Co. 79 b), though, when his estate is thus coarcted, malicious extravagant or humoursome waste on his part, is prevented by Courts of Equity, upon grounds, as it has been said, of public policy, and *pro bono publico* (*Abrahall* v. *Bubb*, 2 Freem. 53). It is a fallacy to refer the immunity of tenant in tail from restraint against committing waste, to the modern power which he has of acquiring the fee-simple (see per Vice-Chancellor Wood, John. 752), as the same principle prevailed during all the time between the *Stat. de donis* and the establishment of the power of alienation by common recovery. The true ground is, as stated by Lord Coke, "because such tenants originally, at common law, had a limited fee-simple, and when their estate was changed by the *Stat. de donis*, there was not any change of their power of doing waste; the Act only restrained alienation" (11 Rep. 81 a, and see 3 Madd. 531, 539). The power of testators to impose restrictions on the enjoyment of property given by them is not unlimited. No man can give an estate of inheritance to another and make it, by his declaration, not liable to the incidents of curtesy and dower (10 Rep. 38 b, 6 Rep. 40 a). He cannot create a new species of tenure, or make land descendible in fee-simple, otherwise than according to the general law, with a preference to the heirs *ex parte paternâ* (1 Preston's Estates, 472, 473); therefore, the maxim "*cujus est dare ejus est disponere*" must be received with due reservation. Our law has always discouraged the creation of new estates, having the characteristics of other estates already acknowledged, as tending unnecessarily to impair the simplicity of the rules of law, and create confusion by the destruction of well-known boundaries, and calculated to produce inconveniences as regards the science of the law.

If a testator wish to give an estate which shall be free from the incidents of dower or curtesy, or from the power of the tenant to commit waste, the rules of law furnish him with a ready and undoubtedly effectual mode of so doing, by restricting the gift to the first taker to a life estate. But if, to suit his scheme of disposition, he is pleased to give the first taker an estate of inheritance, and attach to that estate qualifications which are legally inconsistent therewith, it may be thought that the law, while giving effect to his principal intent, by upholding the estate, might well decline to carry out the subordinate intention of attaching to such estate qualifications inconsistent with its nature. Great weight seems to be due to the observations of Lord St. Leonards (Law of Property, p. 380), that, as regards the question of waste, "a tenant in fee, subject to an executory devise, is tenant in fee up to the moment of his death; and that there is no pure case of an adult devisee in fee, with an executory devise over, being restrained." The ancient action of waste, it is clear, could never have been brought against a tenant in fee-simple, however limited, and it seems that even the modern legal remedy of an action on the case in the nature of waste, like the ancient proceeding, "consists in privity;" and that, therefore, there must be a reversion or remainder which must continue in the same state as at the time of the waste done (*Bacon* v. *Smith*, 1 Q. B. 345). There cannot be any privity between a devisee in fee subject to an executory devise, and the devisee over, the first taker being owner "*pro tempore*" of the entire fee, and no remainder or reversion can depend thereon (Co. Litt. 18 a). No tenural link exists between the two; the first taker, while his estate lasts, is tenant to the superior lord, and when his estate is defeated, the second taker holds just as independently.

The decision in the case of *Blake* v. *Peters*, making the assets of the first devisee liable for the value of the timber felled by him, carries the doctrine of equitable protection, in cases where no relief could be obtained at law, further than any case has ever before gone, and is therefore worthy of consideration. It is believed that all the cases in which equity has enforced a claim against the assets of a deceased owner, in respect of legal waste, will be found to be those where, although there was difficulty in obtaining redress at law, in consequence of the intervention of some estate which opposed a technical objection to the pursuit of the legal remedy, yet if that impediment had been removed, the legal remedy could have been enforced; or the difficulty arose from the neglect of those whose duty it was to intervene to protect the remainderman, as in the case of trustees to support contingent remainders. But, in the case under consideration, there appears to have existed, upon legal principles, an original and inherent obstacle to the existence of any legal right between the parties, arising as well from the absence of privity as from the impossibility of any liability arising *at law*, whatever intervening obstacle might have been supposed, by equity, to have been removed. The effect of the decision seems to have been, to ground the relief, not so much on the supposed removal of obstacles which impeded the enforcement of the legal right, but rather to have proceeded on a principle which required, first, the creation of the legal right, and then the application of the equitable remedy. The decision of Lord Hardwicke in *Garth* v. *Cotton* (1 W. & Tud. Lead. Cas. 451), was expressly grounded on the *fraud and collusion* between the tenant for life and remainderman, and there was also the privity between the particular estate and the subsequent limitations. His Lordship also distinctly states that but for the interposition of the trustees to preserve contingent remainders, there would have been no remedy for the wrong either *at law or in equity*, but inasmuch as the trustees had legal rights which they might have enforced for the protection of the contingent remainderman, their neglect to perform their duty should not, in equity, be allowed to prejudice him.

The decision in *Turner* v. *Wright*, that a fee defeasible by executory devise could be made punishable for equitable waste, seems to have weighed strongly with the Vice-Chancellor Kindersley in holding that there was no repugnancy in imposing a general restraint against cutting timber. However, the doctrine of equitable waste has always been considered to be an extraordinary interference with legal rights, and to be supported, as far as it has gone, upon the principle of intervening to prevent the destruction of the subject matter, which, by the dispositive scheme, was destined to go in a course of succession, and which, if equitable waste were not inhibited, would no longer be the *same thing* which was intended to pass on to successive takers. The early cases point to public policy and "*bonum publicum*" as the grounds of the doctrine (*Abrahall* v. *Bubb*, 2 Freem. 55). It does not, therefore, seem a necessary "*sequitur*" to the doctrine of *Turner* v. *Wright*, that a restriction on the ordinary husband-like felling of ripe timber, or what is understood by the term "legal waste," might be imposed on an estate of inheritance. The subject seems to have received the fullest discussion in the case of *Athyns* v. *Wright*, on appeal in the House of Lords, observed upon by Lord St. Leonards (Law of Property, p. 376 *et seq.*). The doctrine supposed to have been established by Lord Hardwicke in *Robinson* v. *Litton*, 3 Atk. 209, and by the dictum of Lord Eldon in *Haberyham* v. *Stansfield*, 10 Ves. 278, is clearly treated as untenable by the decision of the House. It is remarked by Lord St. Leonards (p. 388), that the opinion of Lord Eldon was in truth *overruled* by Lord Redesdale, and the sketch of the latter noble and learned lord's argument, which Lord St. Leonards has preserved (pp. 385, 386), proves that the matter was handled with great research, and upon consideration of the ancient learning and principles of the law of real property, and the scope of Lord Redesdale's arguments, was the legal incompatibility of a restraint against waste, with the nature of a determinable fee simple; and no inference appears to be deducible from his Lordship's reasoning, that an attempt by a testator to impose such a restraint would have been free from the objection of repugnancy. If the question is to be considered as settled by the recent decision, it would seem to be another instance, added to many in our law, that deference to the wishes of a testator may often be carried to the extent of allowing effect to his directions, though anomalies may result therefrom, and though the symmetry of an ancient theory, whose guidance is still appealed to, may be thereby impaired.

## STATISTICS OF THE COUNTY COURTS.

The present constitution of the county courts has been framed in accordance with the recommendations of a commission which sat in 1833. A bill, embodying the substance of the commissioners' report, was introduced in 1839, and again in 1842, but on both occasions without success. The county courts then existing were of very early origin, having been founded, as is generally supposed, by Alfred the Great. They experienced little of the general improvement of the national institutions, and were limited to their original jurisdiction for suits of 40s. until the report of the commission was acted upon. Now, the county courts enjoy very varied powers; they are courts of record, and have an equitable as well as a legal jurisdiction, extending to matters of bankruptcy, contested cases of probate of wills, charitable trusts, and several other important classes of suits. The jurisdiction given to these courts by the 9 & 10 Vict. c. 95, which was founded on the commissioners' report, has been thus enlarged by various subsequent enactments, so that the development of the principles upon which this description of local judicatures has been established may now be considered as tolerably complete.

There are no returns from these courts as to their transactions, either in insolvency, prior to the 11th of October, 1861, or in bankruptcy since that date, when the Bankruptcy Act, 1861, came into operation. This temporary omission appears owing to the circuitous mode of supplying the statistical returns prescribed by the Bankruptcy Act, which directs the registrars of the county courts to send their statistics to the chief registrar in London. The information, however, will of course be duly forthcoming in the next and succeeding years.

The total number of plaints entered in the county courts in the year 1861 was 903,957. This number comprises 82 causes sent from the superior courts. The causes determined with a jury were 928, and without a jury, 473,351. The judgments were, for plaintiff, 342,530; for plaintiff by consent, 191,323; for plaintiff by default, 1,003; of non-suit, 9,827. The judgments for defendant were 9,449. The total number of judgments thus was 554,182. Of judgment summonses there were issued 130,254; heard, 59,388. The number of debtors imprisoned was 8,635. The total amount for which plaints were entered was £2,168,337. The total amount of fees on all proceedings was £277,148. An increase appears in all the returns of these courts for 1861. In the plaints this increase amounts to 121,573 or 15·5 per cent. on the number for 1860.

A jury was called for in one case only in 518 in 1861; in one case in 434 in 1860. It cannot be inferred, however, from this very small proportion of cases tried by a jury that the Palladium of the British constitution has suffered any diminution of popularity with the bulk of the people. For in the first place a jury cannot be had in these courts as of right, where the amount sued for is under £5. It requires, in the next place, the payment of a few shillings; and, as litigants do not themselves usually address juries, the appointment of

advocates becomes necessary for that purpose. A party to a suit is also naturally indisposed to do anything approaching to a slight on the judge before whom the case is to be determined. Moreover, the small amounts for which the great majority of plaints in these courts are entered (the average being only £2 7s. 11d.) must render parties unwilling to incur expense disproportionate to the sum at issue.

The issue was for the plaintiff in 96·5 per cent. of the cases in 1861; in 96·1 per cent. in 1860. This extremely high proportion of issues for the plaintiff shows that these courts are resorted to rather as agencies for the collection of liquidated demands than as tribunals for the determination of disputed questions of right. The number of judgment summonses shows an increase of 12·6 per cent. above the average of the two preceding years; in the number of executions against goods there was likewise an increase in 1861 of 18·0 per cent. over the like returns for 1860.

Now that imprisonment for debt has been abolished as regards the more wealthy classes, one may reasonably ask why the like benefit should not be extended to those who stand most in need of it. The severity of the law as regards debtors committed on the orders of county court judges has not, indeed, been much inveighed against. But the cause of this is, we think, to be found in the fact, that the attention of the public has not been sufficiently directed to it. The extinguishment of a portion of a vicious system of credits would be but a trifling drawback to the cessation of the expense and annoyance that at present may be inflicted on any defaulter before one of these courts, however unwillingly or accidentally he may have become such.

In 1861 there were issued from these courts 129 warrants to arrest absconding debtors; the number was only 50 in 1860. Under the Charitable Trusts Act, on the other hand, 16 matters only were heard; while the return under this head was 137 in 1860, and 140 in 1859.

It appears that there are still, in more or less active operation, 34 of the ancient borough and manorial courts. In eight of these no business was transacted in the year 1861. But they are not all therefore necessarily obsolete; for though in 1860 no business was transacted in eight of these courts, these were not all the same as the inactive eight of 1861. It would appear that the powers that preside over these courts entertain a livelier sense of the dignity of their judges than of the interests of their suitors. For in the Egremont Court Baron no business was transacted in 1861, in consequence of the death of the deputy steward, and no successor having been appointed, although in that court 195 plaints were entered in 1860. In the Oswestry Court of Record one plaint only was entered for £4. In some of these courts, however, a considerable amount of business is done. The Sheriffs' Court of London is classed in the statistics with the borough and manorial courts. But we do not see the logic of classing an active metropolitan court with a number of antiquated and effete tribunals. The amount of costs and fees in these courts was upwards of 24·0 per cent. upon the amount of debt recovered. In the Lord Mayor's Court the number of actions entered was 3,930; of ejectments, 6. The total amount sought to be recovered was £80,084. The number of foreign attachments entered was 722 for a total amount of £316,404. Nearly half of these were settled by the parties out of court. There was an increase generally in the business of the Court for the past year.

The judges of the county courts possess the very peculiar power of ordering that a judgment, when recovered by the plaintiff, if under £20, be paid by instalments. We should not desire this feature of the jurisdiction of county court judges to be done away with, even upon an abolition or alteration of their present powers of imprisonment. On the other hand, the Acts relating to these tribunals are silent as to the power of the judges to direct interest to accrue until all the instalments are paid. There ought to be express provisions in respect of this important item. Perhaps extensive powers with respect to the imposition of interest would be a good substitution for the present arbitrary authority of the judges of these courts to imprison the defaulting portion of their suitors.

## UPON THE RIGHT OF BEARING AND CHANGING NAMES.

It is a curious coincidence that at the same time that the question of the right of changing one's name —viewed in its legal bearings—has been agitated in this country, it has been discussed with great spirit and research in Germany, where such topics receive a more antiquarian and exhaustive treatment from philosophical jurists, than is given to them in this country. A very elaborate essay on the subject, from the pen of Dr. Robert Hermann, of Jena, has recently appeared in a German legal periodical.* As the topic is at present of considerable interest to English lawyers, and very little relating to it is to be found in our reported cases or text books, we have thought that a translation of this essay would be acceptable to our readers. It is as follows:—

It is a peculiar phenomenon how the inclination of jurists for the investigation and independent exhibition of many doctrines lasts undiminished for generations, while other questions, not less practical and important to daily life, never receive more than a step-motherly treatment, and this only when occasioned by unavoidable necessity, and ending with it. The enunciation of Bynkershök—"*Tanta et prisco ævo fuit et nostro est nominum insolentia et varietas, tam fortuita et ignota sæpe origo, ut quod de hominibus agitur, modeste sit agendum*"—holds true, to this day, of nomenclature, as well in historical and social as in legal relations. Even the slight interest formerly taken in the treatment of the juridical side of nomenclature seems latterly to have grown fainter. The old jurists who commented on the Roman codes of law or wrote and taught according to the system of so-called legal order, had occasion to quote a few sentences from Roman sources upon the laws of bearing, choosing, and changing names, which took the form of traditional doctrine, are repeated almost universally and are handed down without regard to the altered circumstances of domestic and public life. A number of dissertations were based upon them, similar in their point of view, character, and results. The work of T. D. Wiarda, "On German Christian and Family Names," may be looked upon as the goal and apex of this tendency. Since then the legal interest in nomenclature appears—with the exception of its relation to criminal law—certainly in a civil-legal point of view, to be altogether doubted, at least in the new compendiums of the so-called common civil law, as well as in those of German private law. Scarcely an allusion or casual remark is found in one German country, so far as is known to the author, except the kingdom of Saxony, where the common law is still in force. Several disputes which arose there respecting the choice, bearing, and change of names gave occasion to judicial decisions and smaller scientific discussions. To these Einert added a critical treatise, whose publication he looked upon as a signal for further discussion on the subject—a wish which, so far as is known to us, has remained hitherto disregarded.

If one looks from this shrinking of science from our question to the views diffused and prevailing in common life, and, before all, to the decisions which are found in the recent compendiums of law, and the schemes of law which have been made public, every doubt hinted

* Archiv für die Civilistische Praxis. Herausgegeben von Francke, v. Linde, Mittermaier, Renaud und v. Vangerow. Fünfundvierzigster Band. Zweites Heft. Heidelberg: Akademische Verlagshandlung von J. C. B. Mohr. 1862.

as to whether nomenclature possesses a legal, and especially a civil-legal, side and significance, must entirely disappear, and the view of the existence of a law of nomenclature be confirmed. To discuss the law of nomenclature, particularly the legal questions concerning acquirement, bearing, choice and change of names, and, by consideration of Einert's challenge, even to awaken new strength for it, is the principal object of this treatise. At the first glance, a legal interest, and therewith the capability of an independent treatment, will not be denied this question; but I hold the discussion interesting also in some of its bye-relations. I believe that this doctrine stands in close relationship to the doctrine of firms, and is a basis for it; here, then, if anywhere, a truly common German law of custom appears demonstrable in certain and manifold directions; and lastly, the thought of adding to or revising common German private law-matter, though very moderate in compass, yet of importance to practical life, is not without its charm.

Sect. 2.—Rise and Function of Names.

Names are as old as the human species. They were produced by social intercourse, and the consequent necessity of designating individuals speedily and surely in conversation—of distinguishing them from one another—of keeping them in remembrance. Therein lies the chief meaning and the chief end of names, in all times and among all nations. The enunciation of the Roman source of law—"*Nomina significandorum hominum gratia reperta sunt,*" or "*ad recognoscendos singulos nomina comparata sunt publico consensu* flows therefore from the nature of the thing, and must not be understood of a positive Roman legal decree which might have been replaced by other decrees. The necessity of designating the individual surely, and thereby distinguishing him from every other, begins with the moment of his birth, and becomes from day to day more pressing. This explains the fact that in every nation known to us a name is given to the new-born immediately or soon after birth. The oldest German-written law, the *Lex Salica*, mentions this custom; necessity has continued it to the present day. As to-day, so in the oldest times, the act of giving a name must have been a solemn one, for the name received was an inseparable attendant through life, the surest and almost the only means of preserving and handing down the deeds of this life to the latest posterity. Since the adoption of Christianity the act is combined in Germany with baptism. These so-called baptismal, or proper, or fore-names are therefore the oldest, and were amongst our forefathers for centuries the only names. But the object could not often be attained completely, and under all circumstances, by one name only. For however capable the German language was of furnishing an endless abundance of fore-names, and of continually producing new ones, yet it lies in the nature of the thing that the old well-known and celebrated names should be adopted by preference, should be transmitted from time to time, and thus brought into use a hundred, perhaps a thousand-fold. Now the one name, which existed repeatedly, perhaps frequently, in the same family, in the same company, in the same district, could no longer fully fulfil its object. To distinguish the namesakes from each other, to prevent errors and misunderstandings of and about persons of like names, an innate necessity led to the employment of so-called nicknames. The character of these nicknames is entirely different to that of the baptismal name. They arose for individuals from a casual want, with its cessation they disappeared, with its change they changed.

In the course of centuries, however, these nick-names, at first casual and fluctuating, have become, especially from the power or the necessity of designating and distinguishing from each other by as simple and secure a means as possible the related branches of individual families, the basis of our birth, or family, or general or lineal names; and this custom has obtained such a compass and such strength, that now everyone without exception has such a surname or general name, and according to the ordering of our whole public legal condition, must have.

Since the fifteenth century, therefore, essentially two kinds of names for persons come under consideration, the so-called fore or baptismal or proper name, and the so-called family or general name. About each kind there exist, according to our conviction, a number of legal rules, or to express it otherwise, the position of each person towards his name (as well fore as family name) is decided by positive law. These legal rules are now to be sought for and collected, first, those for fore-names, then those for general names.

Sect. 3.—Fore Names or Christian Names.

Legal questions relating to the choice (acquirement) bearing and changing of fore names must be of very infrequent occurrence. The following are at least practically possible; the answer to them, however, is hardly matter of doubt.

(1.) The decision of a fore name lies with the parents of children born in wedlock—and in case these cannot agree on the name to be given—to the father in right of his power as a father and householder. Under all circumstances the mother decides on the name of an illegitimate child.

(2.) Neither common nor particular law imposes any restraint on the choice of a name unless one looks on the prohibition which lies in the nature of the thing against bestowing a notoriously improper or immoral name, or one injurious to the State or to religion, as a restraint; as little does the common law impose any restraint on the number of names to be given to an individual, as in former times has happened in particular law.

(3.) It is an almost unbroken custom to retain and bear throughout the fore name once received. But I deny the right to change or exchange it for another name arbitrarily, and without further ceremony, and I stamp that custom as a legal duty. On this point I have all the writers upon the laws which govern names for adversaries. As I believe that an alteration or exchange of the Christian name by legal means is to be judged of from the same point of view as the alteration of the family name, I shall discuss it with the latter subject.

I know of no laws in Germany upon the choice, bearing, and change of fore names. France, however, has an express law concerning fore names. On account of the generally similar formation and meaning of names in modern Europe, and of the slight knowledge of this law diffused over Germany, it may be interesting to see how a legislature treats this point.

The following is the French law relative to fore names (*prénoms*) and change of names. Of the II. Germinal of the year 11.

Art. 1. Dating from the publication of the present law, the names in use in the different calendars, and those of well-known persons of ancient history, alone can be received as fore names on the registers of the civil department destined to verify the birth of children, and it is forbidden to public officers to admit any others into these instruments.

Art. 2. Every person who actually bears, as a fore name, either the name of an existing family, or any name whatsoever which is not comprehended in the description of the preceding article, may demand a change, on conforming to the dispositions of that same article.

Art. 3. The change will take place after a judgment of the tribunal of the district (*arrondissement*), which will order the rectification of the instrument of the civil department. This judgment will be given, the commissary of the government having been heard, on a simple petition presented by the person who demands the change, if he is of age or emancipated, and by his father and mother, or guardian, if he is a minor.

## DEEDS OF ARRANGEMENT—BANKRUPTCY ACT, 1861.

**We ask the attention of our readers to the following communication, which we have received from a correspondent at Birmingham, who will be glad to elicit expressions of opinion upon the very novel and important point raised, but not decided, in the case, of which the following is a report:—**

In an action tried before the county court judge at Birmingham, Mr. W. Nichols, late one of the commissioners of the Insolvent Court, the following were the facts:—

A debtor had executed a composition deed, and having obtained the requisite assents under the Bankruptcy Act, 1861, registered it under sect. 192, and obtained a certificate of registration under sect. 193. Certain creditors for £50, who did not assent to the deed, brought their action in the county court against the debtors, to which the deed and certificate of registration was pleaded as the sole defence. Objections were taken by the plaintiff's attorney to the deed on two grounds, both of which were overruled by the judge, who held that the deed and certificate were binding upon the plaintiffs. Looking, in this state of things, to the position of the debtor, the judge considered him to be *protected* by the certificate of registration, to the same extent only as if he had been adjudicated bankrupt, and had received the usual temporary protection given upon adjudication of bankruptcy. That such protection would extend to his person and effects, but was no answer to the plaintiffs' right to have a *judgment* in the present action, the defence set up being no answer to the action upon its merits, but merely shewing that the defendant was protected from process against his person and goods. He relied for this opinion upon the language of sects. 197 and 198, and intimated that, had the latter been intended to confer a final release upon the debtor, so that it might be pleaded in answer to an action at law, the phraseology employed would probably have been that the certificate should be available to the debtor, as *an order of discharge* in bankruptcy, whereas the words used, were, that it should be available as "*a protection* in bankruptcy." As it seemed to him (the learned judge) the *right of action* was not interfered with by the certificate of registration, and that the defendant had no answer to the plaintiffs' action until he applied to the proper court of bankruptcy, and obtained an order of discharge, provision for obtaining which, it appeared to him, existed under sect. 197. At present the debtor and his effects were *protected*, but nothing more, and without obtaining an order of discharge, a reasonable opportunity for doing which, as to time, must be afforded him, he had no answer to the plaintiffs' action. This being his (the judge's) view of the law he felt some difficulty in saying how judgment should be entered in the present action, and ultimately the case stood over till the 15th of April. He added that he believed applications had been made to the Court of Bankruptcy in London for orders of discharge, by debtors who had arranged with their creditors *by deed*, and obtained a certificate of registration under sect. 198, and that such orders had been granted.

## EQUITY.

### Waste—Defeasible Estate in Fee.

*Blake* v. *Peters*, L. J., 11 W. R. 409.

In this case there was a devise and bequest to J. W. Peters, his heirs, executors, and administrators, of freeholds, leaseholds, and copyholds, subject to an executory devise and bequest over, in the event which happened, of his dying without issue male living at his decease, to the plaintiffs and others, defendants, representing the inheritance and absolute interest; and subject to a proviso that Peters should not cut timber on the devised estates, except for necessary repairs, on pain of forfeiting all his estate and interest therein. There was also a proviso that Peters should from time to time, during his life, keep the leasehold and copyhold estates at B., L., and D. "fully estated with three lives, which should be subject to all the limitations before declared." J. W. Peters, during his tenancy, cut timber other than such as was required for repairs, and sold and disposed of the same, and applied the proceeds to his own use. He also omitted to keep several of the leasehold and copyhold estates at B., L., and D. fully estated with three lives. In some instances the property was wholly lost by reason of such non-renewal; in some the lords of the manors refused to renew. Peters died in July, 1858. The object of the bill was to recover from his executors compensation out of his estate for the timber so cut and disposed of by him, and for his not having kept the leaseholds and copyholds fully estated with three lives at his death. It was held by the Lords Justices, affirming the decision of Vice-Chancellor Kindersley (10 W. R. 826), that the restriction against cutting timber was not, as against Peters, repugnant to the nature of his estate; that the remedy by forfeiture was not the only one, but that the plaintiffs were entitled to an account of the timber cut; that Peters was bound to have renewed without contribution from the remaindermen; and that his estate was liable to make compensation for the non-renewals in all cases where, but for his wilful default, renewals might have been obtained.

It was stated, in answer to the Court, that there was no trace of any judicial opinion that a legal tenant in fee, subject to an executory devise over, cannot be restrained from committing legal waste, beyond an expression in the judgment of the Vice-Chancellor in *Turner* v. *Wright*, Johns. 748, which probably referred to the part of the argument reported in page 744.

The question of law raised in the above important case is fully discussed in an article in to-day's *Solicitors' Journal*.

### Indefinite Bequest of Income—Separate use.

*Watkins* v. *Weston*, L. J., 11 W. R. 408.

In this case a question arose upon a bequest of leaseholds to trustees, upon trust to receive the rents and pay the same to the separate use of a married woman, and in case she should die before the expiration of the lease, upon trusts for the benefit of her children, with a general residuary bequest. The married woman having died without issue, the Master of the Rolls held that she took an absolute interest, and his Honour's decision was affirmed by the Lords Justices.

### Practice.

Production of documents relating to real estate—F., a legatee under the will of T., files a bill against his executors, asking an account of the legacy, and, unless they should admit assets sufficient to answer it, for an account of the personal estate possessed by them, and, if necessary, an account of the real estate. The executors admit assets and invest a sum to answer the legacy, and another sum is paid into court. After answer, a summons is taken out in chambers for the production of documents relating to the real estate. Held, that, inasmuch as assets have been admitted, and having regard to the form of the prayer, the plaintiff is not entitled to such production, and summons refused.—*Forbes* v. *Tanner*, V. C. K., 11 W. R. 414.

Banking account—Mortgage—Compound interest.—C., being indebted to his bankers upon an account kept with them in respect of a business carried on by him, and upon which compound interest was charged, executed a mortgage for securing the account current. Some years afterwards he executed a creditors' deed of which two of the partners in the bank were trustees, and he then ceased to draw upon or pay into the account, the business being carried on by the trustees. Held, that from that time simple interest only could be charged on the balance then due.

The trustees, who had extensive powers under the creditor's deed for carrying on the business and borrowing money for that purpose, borrowed money from themselves as bankers, on which, according to custom, they charged compound interest. Held that this charge must be disallowed.—*Crosskill* v. *Bower*, M. R., 11 W. R. 411.

Receiver—Right to distrain—Sale—Lien.—Where a receiver is appointed of leaseholds, and the landlord gives him notice of a claim for rent, but takes no

other step, and the receiver sells the furniture, &c., the landlord has no lien on the proceeds of the sale in priority to other creditors.

Where a receiver has been appointed of leaseholds, and the landlord has a claim for rent, the Court will give him authority to distrain, notwithstanding the presence of the receiver; but where the receiver sells chattels, and the landlord makes no previous application to the Court, he has no lien on the proceeds of the sale.

Where there is no receiver, and the executor sells, the landlord will equally lose his right to priority, by not exercising his right of distress.—*Sutton* v. *Rees*, V.C.K. 11 W. R. 413.

ESTATE IN FEE—EXECUTORY LIMITATION.—Devise to testator's son A.; in case of A. dying before his brother, B., and leaving no issue, then to B.—should both testator's children die without lawful issue—then over. Held, that A. took an estate in fee, liable to be divided; (1) in the event of his dying in the lifetime of B. without leaving children living at his death; and (2) in the event of both A. and B. dying without leaving any children.—*Re Mid Kent Railway Company*, V. C. W. 11 W. R. 418.

## COMMON LAW.

DECREE OF DIVORCE COURT—CHARGE ON REAL ESTATE.
*Holden* v. *Holden*, C. P., 11 W. R. 437.

In the recent case of *Pratt* v. *Bull*, 11 W. R. 295, the Lord Chancellor, affirming the decision of Vice-Chancellor Stuart, decided that under the Court of Probate Act, 1857, sect. 25, a judgment or order of that court for payment of money does not create such a charge upon the interest in the land of the person against whom the order is made as was given by the 1 & 2 Vict. c. 110, to the judgments of the superior courts then existing. The Lord Chancellor was of opinion that the 25th section denoted only the ordinary powers of enforcing decrees by writs of execution and process in contempt. The question in the above-named case of *Holden* v. *Holden* turned upon the construction of an analogous section (the 52nd) of the Divorce Act of 1857, which enacts that all decrees and orders made by that Court "shall be enforced and put in execution in the same or the like manner as the judgments, orders, and decrees of the High Court of Chancery may be now enforced and put in execution." A rule had been obtained from the Court of Common Pleas, raising the question whether a decree ordering alimony to be paid to the plaintiff by the respondent in a divorce suit might be registered in the Common Pleas, under the provisions of 1 & 2 Vict. c. 110, s. 19, for the purpose of charging the respondent's real estate with the payment of the annual sum decreed as alimony. All the judges of the Court of Common Pleas concurred, notwithstanding the decision of the Lord Chancellor in *Pratt* v. *Bull*, in allowing the decree to remain registered, but leaving open the question whether the decree when registered would constitute a valid charge on land or not. It is obvious, however, that their Lordships entertain an opinion as to the effect of these sections in the Divorce and Probate Acts, different from that which has been expressed by the Lord Chancellor, and Sir J. Stuart, V.C., in *Pratt* v. *Bull*. The practical effect of the decision in *Holden* v. *Holden* will be to make such decrees of those courts as order the payment of money, to be for any purpose of title a charge upon lands when they are registered under the statute 1 & 2 Vict. c. 110, s. 19.

ANIMAL, CUSTODY OF—NEGLIGENCE.
*Cox* v. *Burbidge*, C. P., 11 W. R. 435.

A child who was lawfully on the highway was kicked by a horse grazing thereon. In an action against the owner for negligently keeping his horse so that the plaintiff was injured, it was proved that the horse kicked the child without any apparent reason, but no *scienter* was alleged or proved. Held, that the action would not lie. Erle, C.J., said he took the facts to be, that the child was lawfully on the highway, and that the horse was straying on that way. As between the owners of the horse and the owners of the soil, he considered the horse to be a trespasser, and if the horse had done any damage to the soil, the owner of the soil might have recovered the damage so done; but that relationship did not exist between the plaintiff and defendant, so as to make the defendant responsible for the damage done by the horse to the plaintiff. So much of the argument as had been addressed to the Court with respect to negligence was not tenable. Before there could be negligence duty. There was no evidence to support that averment. there must be a duty to be performed, and a breach of that Willes, J., said that the distinction in the rule between fierce and tame animals was clear. In the former case, the owner must take care to keep it under his control, and if he does not do so, he is answerable for the mischief it does, unless it is of a wild nature and has returned to the woods. As to an animal of a tame nature, he is not liable unless it be shewn he knew of its mischievous habits, in which case, if it does mischief, he is equally liable as if it were of a fierce nature. He could understand that a man should be liable for the trespasses of his horse, for it is an animal he can control, and because such animals have a natural tendency to stray. He thought that the case in Lord Raymond's Reports (*Mason* v. *Keeling*, 1 Raym. 606) exhausted itself in the case of animals straying on lands in the usual manner. He thought there was only one other circumstance in the case—viz., did it make any difference that the animal was in the highway? He thought not at all.

LIFE INSURANCE—INTEREST INSURABLE.—In an article, *ante* p. 296, we have already discussed the question of law raised in *Hebdon* v. *West*, and the cases bearing upon it. The facts, and the point decided, may be shortly stated as follows:—The plaintiff, a confidential clerk of a banking firm, who had overdrawn his account as customer of the bank, was promised by the principal partner (in lieu of a partnership) that so long as he, the partner, should live, the debt should not be enforced, and that he should, for seven years, have a salary of a certain amount, and thereupon insured that partner's life for a sum equal to the amount of the debt, and also about equal to the amount of the seven years' salary; and subsequently, the debt being somewhat increased, he insured on the same life, in the defendant's office, for a further sum, greater than the increase of the debt. The life having dropped within the second of the seven years, and the first policy having been paid, the defendant, in an action on the second, denied the interest, and also pleaded the payment upon the former policy of the full amount of the real interest. Held, that the plaintiff had an interest only to the amount of of the salary for the five years unexpired of the period of his engagement, and that the plea was good, and an answer to the action.—*Hebdon* v. *West*, Q.B., 11 W. R. 422

COUNTY COURT—APPEAL—COSTS.—In appeals from the county courts to the superior court, the rule as to costs is, that the successful party must have his costs, unless there be special circumstances to lead to the contrary, and those special circumstances must be substantial.—*Schroeder* v. *Ward*, C.P., 11 W. R. 427.

LORD TENTERDEN'S ACT—PAYMENT BY JOINT CONTRACTOR.—In an action on a promissory note made by H., as principal, and the defendant, as surety, in favour of the plaintiff, it was proved that after the debt was barred by the Statute of Limitations, H. made an assignment in favour of creditors, and the defendant wrote to the plaintiff as follows:—"I consent to your receiving the dividend under H.'s assignment, and do agree that your so doing shall not prejudice your claim upon me for the same debt." The plaintiff received a dividend under H.'s assignment. Held, 1st, that the letter by the defendant to the plaintiff did not imply a promise to pay so as to be an acknowledgment or promise under Lord Tenterden's Act (9

Geo. 4, c. 14). 2ndly, that the payment of the dividend by H. was a part payment by a co-debtor, but that by the operation of the Mercantile Amendment Act, 1856 (19 & 20 Vict., c. 97), the defendant by such part payment was not deprived of the benefit of the Statute of Limitations. —*Cockrill* v. *Sparke*, Ex., 11 W. R. 428.

PATENT—EVIDENCE.—In an action on a patent, the novelty being disputed, and it being proved on the part of the defendant that a person, since deceased, had used a similar process, and produced and sold a similar article before the patent, it was elicited on behalf of the plaintiff on cross-examination, that he had sold a small quantity of the article to one S., after the patent, and S. was then called for the plaintiff in reply, and asked if when the person deceased had sold him the article, he had not said that it was a new thing, this was received as evidence to show by way of inference that the user prior to the patent could not have been public. Held, that as the inquiry was as to the acts of the deceased person prior to the patent, and the statement received related to an act subsequent thereto—it was improperly received, and was in no way admissible as evidence on the issue.—*Hyde* v. *Palmer*, Q. B., 11 W. R. 433.

PLEADING—ESTOPPEL.—The plaintiff had filed a bill in Chancery against the defendants for infringement of a patent. By an agreement between the parties, not under seal, the matter was referred to an arbitrator, who by his award found "that the letters patent were not illegal or void." In an action between the same parties for another infringement of the same patent—Held, that the defendants were not estopped by the award from pleading specific matters, which would have the effect of rendering the patent illegal and void, though such matters had been relied upon by them before the arbitrator.—*Newall* v. *Elliott*, Ex., 11 W. R. 438.

## SPRING ASSIZES.

### HOME CIRCUIT.

MAIDSTONE.

March 16.—The commission was opened in this town to-day by Lord Chief Justice COCKBURN. There were 18 causes entered for trial, five of which were marked for special juries.

### MIDLAND CIRCUIT.

DERBY.

March 18.—The commission was opened in this town to-day by the LORD CHIEF BARON and Mr. Justice WILLES. There were 8 causes entered for trial, three of which were marked for special juries.

LINCOLN.

March 12.—The commission was opened in this city to-day by the LORD CHIEF BARON.

### NORTHERN CIRCUIT.

YORK.

March 16.—The reporter to the *Times* makes the following observations upon the proposed alterations in the circuits:—

It has been rumoured in the courts to-day on reliable information, derived from various sources, that the plan to be submitted by the Lord Chancellor for the revision of the circuits is to divide the Northern Circuit into a Lancashire Circuit, to consist of Manchester, Liverpool, Lancaster, Appleby, and Carlisle, and a Yorkshire Circuit, to consist of Nottingham, Derby, and Lincoln (taken from the Midland Circuit), York, Durham, and Newcastle. The southern half of the Midland Circuit will be added to the Norfolk Circuit, and make that a good circuit. The Midland Circuit will thus be absorbed in the Yorkshire and Norfolk Circuits.

So far as judgment can be formed, this proposal is by the Bar of the circuit assembled at York—which is practically the Bar of all the rest of the circuit, except Liverpool—favourably received, as on the whole the best arrangement that could be made. Of course no one wants the circuit divided at all. But that being a necessity, it seems to be generally admitted that the best course would have been to make Lancashire into a circuit by itself, so far as this circuit is concerned, and create two new judges to supply the additional demand. As that measure cannot be adopted from the objection to increase the staff of judges, it is admitted generally that the next best measure is the one proposed. It has the advantage of equalising the three circuits—the Norfolk, the Midland, and the Northern—into three good circuits, and on public grounds, apart from all private interests, this was desirable. It was not well that the Northern Circuit should have more business than could possibly be tried by the judges sent down to try it, in the time limited for the circuit, while the Norfolk and the Midland Circuits had finished their business, with three or four weeks to spare. Geographically, also, the proposed division is a good one. Then, as to private interests, the Norfolk Circuit will clearly benefit. It is difficult to say that the Midland Circuit Bar will be injured, with half the Midland and all the Norfolk on one side, and the other half of the Midland and the Yorkshire Circuit on the other side, to select as a circuit, accordingly as their interests preponderate on one side or the other. The Yorkshire Circuit Bar will lose Carlisle, Appleby, and Lancaster, where many of them had business, and will be compensated by Lincoln, Derby, and Nottingham. The Lancashire Circuit will remain what it always has been—almost a distinct Bar, made up of local barristers and London barristers who hitherto have gone to Liverpool only. Of course there are some exceptions, and these notable ones. Three or four of the leaders and two or three of the juniors have business on both sides of the circuit, and to these gentlemen there can be no doubt the proposed alteration, or any alteration diminishing the circuit, will be a serious loss; but to the 200 gentlemen of whom this circuit consists there could probably be no other scheme devised which would, on the whole, less interfere with their private interests. So far as the opinion of the Bar whose interests are bound up with the Lancashire side of the circuit can be ascertained from the four or five who are to be found here, the proposed scheme has equally their approval.

### SOUTH WALES CIRCUIT.

SWANSEA.

March 9.—The commission was opened in this town to-day by Mr. Justice MELLOR. There were 14 causes entered for trial of which three were marked for special juries.

### WESTERN CIRCUIT.

BODMIN.

March 12.—The commission was opened in this town to-day by Mr. Serjeant SHEE. There were only three causes entered for trial, two of which were marked for special juries.

EXETER.

March 11.—The commission was opened in this city to-day There were 14 causes entered for trial, five of which were marked for special juries.

## BANKRUPTCY LAW.

### COURT OF BANKRUPTCY.

(Before Mr. Commissioner FANE).

*March* 12.—*In re Browning.*—The bankrupt was formerly *custos brevium* in the Court of Common Pleas, and having been some years in custody, the profits of his office accumulated, and the amount was now in hand, applicable to the payment in full or nearly in full of the claims upon the estate.

## CRIMINAL AND MAGISTRATES' LAW.

### SUMMARY CONVICTION—COLOUR OF RIGHT.

*Reg.* v. *Snape*, Q. B. 11 W. R. 434.

On a charge, under 24 & 25 Vict. c. 97, s. 25, for maliciously damaging a fence, it appeared that the defendant had been fishing in a canal, and had passed over a field of growing wheat in the occupation of the prosecutor, and was going away when (whether wilfully or not was disputed), he damaged the fence, which he alleged was not upon land of the prosecutors, and he produced a letter from a person who claimed to be the owner, and had given him leave to fish in the canal.—Held, that this was evidence of a *bona fide* claim of title, and reasonable colour of right, which ousted the jurisdiction of the magistrates, and that they were wrong in proceeding to convict.

Wightman, J., said the magistrates, of course, were not bound to receive the letter in evidence of title, but they were not to try the question of title at all, and they ought to have held their hands when they found that there was a *bona fide* claim of title in a third party. When it appeared that the very place where the fence

stood was asserted to belong to a third party, whose authority the defendant actually had, they ought to have stopped the proceeding and declined to convict.

Crompton, J., said the case was clearly one in which the claim of title was *bonâ fide*. The magistrates have always the power to hear evidence on that point, and often it is one of some difficulty and doubt whether the claim is *bonâ fide*. But when the defendant adduces such *prima facie* proof, that there is reason to suppose there is a *bonâ fide* claim, and no answer is offered on the other side, nor any evidence that it is not a *bonâ fide* claim, then it is the duty of the magistrates to stop the inquiry. No doubt it is the duty of the justices to decide any question of fact, and they have no right to send to the Court any such question. All that they can do is to send up questions of law.

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BASTARDY.—When a woman has made an application in the district in which she resides for an order of affiliation, and the application has been heard and dismissed upon the merits, she cannot renew it in a different district after a residence there for the mere purpose of such application.—*Reg.* v. *Myott*, Q.B., 11 W. R. 424.

CRUELTY TO ANIMALS ACT.—Although persons present at a cock-fight in a place not previously used or kept for the purpose, even although they have previously appointed it among themselves for the purpose on the particular occasion, cannot be convicted under the statute for aiding and assisting in a cock fight, (*Morley* v. *Greenhalgh*, 11 W. R. 263, affirmed); yet the persons actually setting cocks to fight, with steel spurs, whereby they are wounded, mangled, or killed, can be convicted under sect. 3 of causing animals to be cruelly tortured and ill-treated.—*Budge* v. *Parsons*, Q. B., 11 W. R. 424.

PUBLIC HEALTH ACT—JURISDICTION.—The jurisdiction to convict for an offence under the Public Health Act is in the justices of the petty sessional division in which the offence is committed.—*Reg.* v. *Broadhurst*, Q. B., 11 W. R. 425.

POOR LAW—SETTLEMENT.—A pauper having taking a cottage for three months, at a yearly rent, payable monthly, at three months' notice, and having occupied it more than a year—held to have acquired a settlement thereby.—*Parish of Willesden* v. *Parish of Paddington*, Q. B., 11 W. R. 425.

TURNPIKE TOLL EXEMPTIONS—VOLUNTEERS.—Volunteers in uniform, going to attend a mere voluntary rifle match, at a duly appointed place of rifle practice, but open to all the world, are not entitled to exemption from toll under 24 & 25 Vict. c. 126.—*Feather* v. *Turner*, Q. B., 11 W. R. 425.

MASTER AND SERVANT—TRUCK ACT.—An employer has no option of paying his workman in goods even if the workman choose to accept payment in that way. And secondly, he is not exempt from the penalties imposed by the 9th section of 1 & 2 Will. 4, c. 37, though he subsequently pay in coin the wages which he has previously paid in goods.

An employer paid a portion of a workman's wages in goods. He was afterwards summoned by his workman for the whole amount of wages due, including the amount for which the goods had been supplied, and was ordered to pay the full amount, which he did. Subsequently, an information was laid before the magistrates, under the 9th section of the Truck Act, for paying wages in goods, and discharged; on appeal.—Held, that the magistrates ought to have convicted, the offence not being extinguished by the subsequent payment in coin.—*Wilson* v. *Cookson*, C. P., 11 W. R. 426.

## DIVORCE AND MATRIMONIAL LAW.

AMENDMENT OF PETITION—PRACTICE.—A petition for dissolution alleged that the respondent and the co-respondent had been "living and cohabiting together," but contained no specific charge of adultery. Neither the respondent nor the co-respondent appeared. The Court held that the allegation was insufficient, and refused leave to amend at the hearing.—*Forman* v. *Forman and Davis*, 11 W. R. 402.

DISSOLUTION—SEPARATION.—A husband and wife were in domestic service in the same family at the time of their marriage. Shortly after the marriage the husband went into service elsewhere, leaving the wife in the same service. The Court held that he had not been guilty of desertion or of wilful separation without reasonable excuse, and that he was entitled to a dissolution of his marriage by reason of her adultery committed subsequent to the separation.—*Davies* v. *Davies and Hughes*, 11 W. R. 402.

CONNIVANCE—BARGAIN.—A husband who withdraws a petition for dissolution in consideration of a payment of money, or of a promise for the payment of money by the co-respondent, without returning to cohabitation with his wife, or making any provision for her reputable maintenance, or stipulating for her future good conduct, is guilty of connivance, and cannot obtain a dissolution on the ground of her subsequent adultery with the same co-respondent.—*Gipps* v. *Gipps and Hume*, 11 W. R. 402.

### COURT OF PROBATE AND DIVORCE.

*March* 13.—In the course of the hearing to-day of a suit for a dissolution of marriage, Sir C. CRESSWELL called attention to the circumstance that the claim for damages, which were laid nominally at £500, was not set forth in the record, and remarked that he was of opinion it was quite time gentlemen should make themselves acquainted with the practice of the court.

## APPOINTMENTS.

Mr. ROBERT BOULTON, of 24, Argyle-square, Euston-road, has been appointed a London commissioner to administer oaths in the High Court of Chancery.

Mr. JOSEPH WALKER, of Stourbridge, has been appointed a commissioner to administer oaths in the High Court of Chancery.

Mr. CHARLES EDWARD LARGE, of Leamington Priors, has been appointed a commissioner to administer oaths in the High Court of Chancery.

Mr. C. E. BERNARD, judge of Small Cause Court at Nagpore, and officiating secretary to Chief Commissioner, Central Provinces, has been appointed settlement officer of Wurdah district. Mr. D. J. MCNEILE has been appointed joint magistrate and deputy collector of Jessore. Mr. V. T. TAYLOR, joint magistrate and deputy collector of Rungpoor. Mr. J. S. DRUMMOND, joint magistrate and deputy collector of Behar. Mr. H. R. MADOCKS, joint magistrate and deputy collector of Nuddea. Mr. W. HEYSHAM, deputy magistrate and deputy collector of the Twenty-four Pergunnahs, to be also deputy collector of Calcutta; and Mr. F. L. Beaufort, to be civil and sessional judge of the Twenty-four Pergunnahs.

## GENERAL CORRESPONDENCE.

### THE EQUITY JUDGES' CHAMBERS.

A few words as to the equity judges' chambers may, usefully follow my last letter in your Journal. One of your correspondents assumes, I think, too much in supposing, as he seems to do, that matters there are unobjectionable. The judges and their chief clerks have done all in their power to work out the present system, and so far the thanks of the profession and the public are due to them. The chief clerks are, as I believe is generally admitted, unexceptionable; but this cannot be said of some of the junior clerks. It appears to me that revision is clearly wanted in this department of the system.

The "Master's office" had, as is well-known, fallen into great disrepute. The very name of the office had become obnoxious alike to the profession and the public. It is not, I think, needful to go into details, as no doubt the recollections of many of your readers will serve all purposes. Too much blame was, however, attributed to the *officials*, and too little to the *system*. It is beyond all question, as I venture to

assert, that the Master's office might, by judicious reform, have been made an effective tribunal. Much of its machinery still remains, though fresh names have been assumed. Thus, a "concise statement" is really a "state of facts" by another name. A "summons" is in fact a "warrant" without its elasticity and pliability. Some abridgments of useless formalities have unquestionably been made, but anomalies have nevertheless been introduced in their place. This hasty allusion is, I think, sufficient for present objects.

Now, sir, what are the objections to the present system? The objections are inherent in the system itself, and I doubt if any official skill can overcome them. Allow me to state two objections, viz.—

1. The want of time on the part of the judges to hear judicial applications.

2. The unavoidable prejudice which is incidental to the hearing of appeals by the same judge.

I pass by the first objection, as the fact is too well known to require verification. Some striking illustrations might be given as to the 2nd objection, but I forbear. It will be acknowledged both by theorists and practitioners that obstacles should be removed. I wish it to be understood that my observations involve no personal reflections. As time rolls on the present system will unquestionably require modification and adaptation. Some, I believe, think that "assistant judges" will become necessary, whilst others have thought that the chief clerks should be invested with a *judicial dignity*. Something like the "Master's office" will, I venture to predict, be again set up, strange as this may seem to our present notions. No doubt the present system might be improved by the appointment of "examining clerks." These might take matters of title, account, pedigree, and settlement, and thus relieve the chief clerks. But the whole system requires careful revision and adjustment to give it stability and permanence. At present I confine myself to these hints, reserving suggestions for another occasion. As, however, the system has already had several years' duration, it is to be hoped it will not be overlooked by the present Lord Chancellor. J. CULVERHOUSE.

March 16.

### WRITS PROHIBITION BILL.

All the correspondence which I have seen on this subject in the *Solicitors' Journal* seems to be adverse to the proposed bill. Still much may be urged in its favour.

The machinery of the superior courts for separating questions of law and fact and bringing the parties to issue, is no doubt admirably adapted to the purpose when the amount in dispute is considerable. That machinery, however, is, as every lawyer and every *client* must be aware, attended with great expense. Now comes the question, whether a cheap though rough system of justice, as administered in the county court, is not preferable in a small matter to obtaining elsewhere a decision, possibly more accurate but at an enormous cost. In the county courts the fees are taken by way of poundage, so that those for recovering £1 would be but a twentieth part of those for recovering £19 19s. In the superior courts they would be the same. Your correspondent "E. A." has taken care to select a county court case where the fees are as heavy as possible, and where the debtor allows the creditor to proceed even to execution before he settles. Probably a large majority of cases are settled as soon as the summons is served, and the number of *executions* issued is comparatively small. But suppose that there really is a question in dispute between the parties. Let them contest it to the utmost. Even then the court fees cannot possibly exceed the amount named by your correspondent; and as for the witnesses' expenses they are not often considerable. If, on the other hand, the action be brought in a superior court the costs may probably amount to £50 or more.

Directly a writ is issued for a small amount against a poor man, his solicitor, as a general rule, advises him to settle, however unjust the action may be; and this for the sole reason that it is better to pay a small sum *certain* than hazard one much larger and *uncertain*. This is a fact well known to those in the ranks of our profession who care more for their pockets than their good names or gentlemanly feeling. Happily there are few such to be found; but how is a defendant to know whether the attorney who issues the writ, and who lives perhaps fifty miles away, belongs to that class or not? Mr. Bouverie proposes to allow a creditor to bring an action in certain cases in his own county court, although the cause of action may not have wholly arisen in its district. That should surely satisfy every respectable creditor, as he would be almost certain of success. Perhaps, instead of his being required to give security it would work better in practice for him to pay a deposit as being the simplest plan. That, however, is a minor point. A COUNTRY LAWYER.

March 16.

You will of course have seen that Mr. Bouverie withdrew his bill last night, with the intention of re-introducing it in an amended shape. In anticipation thereof I hope that the profession generally will explain to their commercial clients the nature of the measure, so that, in the event of the amended bill being as objectionable as the late one, they will again still more thoroughly unite in expressing their disapproval of any measure to "protect *debtors*" at the expense of creditors.

As the petitions from here do not appear in to-day's *Times*, amongst those presented against the bill, allow me to state that besides the one from the Chamber of Commerce, *three* other petitions against the measure were sent to our member for presentation—viz., from the attorneys and solicitors, the commercial public, and the Trade Protection Society. JOHN MILLER.

Bristol, March 18.

### CHANCERY POWER OF ATTORNEY STAMPS.

Is it not time in these days, when stamp and other duties are reduced in the interest of the revenue itself, and made more proportionate to the benefits derived, that the heavy charge of £1 10s. should still be levied on these powers? It is true, no more than £1 10s. is charged for a power to receive £10,000 out of court than to receive £10—but it amounts to extortion charging £1 10s. in respect of £10. I have lately had to pay for powers to receive sums of less than £50 each out of court, where unfortunately the distance from town made it necessary to receive the amounts by deputy. The Court of Chancery has applied the rule of proportion, in giving a reduced scale of fees in suits under £1,000; why then not get the same rule applied to these powers, and let £1,000 and under pay 10s., £5,000 and under, 20s., £10,000, 30s., and so on?

March 14. X. Y. Z.

### ACKNOWLEDGMENT OF DEEDS.

I have seen a specimen of the new forms of affidavit for verifying the acknowledgments of deeds by married women, which will come into use on the first day of next Easter Term. This alteration, which seems to be in substance that the affidavit is to be in the first person and divided into paragraphs, should be noticed in the *Journal*, if not already done.

March 16. W. B.

*** The common law order, directing certain alterations to be made in the engrossment of affidavits, verifying certificates of acknowledgment of deeds by married women, dated the 24th of November, 1862, and which is to come into operation on the first day of Easter Term next, will be found at *ante* p. 92.

### COMPOSITION DEEDS.

I shall feel obliged by an expression of the views of some of your learned correspondents, accustomed to consider questions of bankruptcy law, upon the case of *Woods* v. *Foote* in the Exchequer Chamber, reported in the *Weekly Reporter* of the 28th of February.

As I understand the case, it is a decision that a court of law has authority to set aside a deed of composition between a debtor and his creditors, duly executed or assented to by them, and registered within the provisions of the Bankruptcy Act 1861, at the instance of a non-assenting creditor, upon the ground that the deed contains a provision of an unreasonable character.

I am not aware that any such jurisdiction is conferred by the Bankruptcy Act, 1861, the unrepealed portions of the Act of 1849, or indeed by any other statute. On the contrary, it appears to me that by the first named Act, the *creditors* are constituted the *sole judges* of what provisions in deeds of this nature are reasonable or otherwise, and finding my doubts shared by other professional men whose opinions carry weight, I respectfully solicit an expression of further opinion.

It is to be remarked that neither case nor *principle* is referred to as the authority for the ground on which the judgment is given, which is the more remarkable, as the decision is that of a court of error. W. S. A.

Birmingham, March 17.

### LAW AND LAWYERS IN ENGLAND AND SCOTLAND.

There is an article in *Fraser's Magazine* for this month on the difference between English and Scotch lawyers, with re-

spect to their social position, and different methods of self-government and education, which is well worth the perusal of your readers, although I dare say they will not altogether agree with the writer on some points. For those who have not the opportunity of consulting the article itself, I append a few short notes which I made. The solicitors in Scotland are divided into three classes—First, the writer to the signet or W. S., who is a solicitor of the courts, and a conveyancer, and who has the sole right of preparing some legal writs which pass the Royal signet. Secondly, the solicitors before the supreme courts, or S. S. C., who are not Royal writers, but in practice occupy exactly the same position as the W. S. And lastly, the solicitors before the inferior or local courts, who are not allowed to practise in the supreme courts.

The result is, that popular prejudice scarcely rises above the lowest class, and the W. S. are quite equal to the Bar in honourable estimation; and it is frequently the case among country families to send the eldest son into the army, the second to the Bar, and the third becomes a W. S.

Each class, the W. S., S. S. C., and country solicitor forms a distinct corporation, with full power of self-government, and has its own scheme of education.

To be a W. S., a youth must study at a university for two years, or have a first-rate public school education with one year at a university, or pass an examination in English literature, history, geography, Latin, Greek (or some modern language in lieu of Greek), arithmetic, algebra, so far as quadratic equations, and five books of Euclid. Then an apprenticeship of five years in the office of a W. S. (about to be shortened to three years in the case of university graduates), during which he *must* attend four courses of lectures, one of them being in civil law; and lastly, pass a strict examination. The fees amount to £400, exclusive of apprenticeship fee. So far for the Scotch attorneys. Then follow a few remarks about the English and Scotch Bar, which are too long to mention here.

Our population increases about twelve per cent. every ten years; and although property transactions are rapidly increasing, yet the legal business of our courts is diminishing. The suits are for smaller amounts, and are more frequently settled in the preliminary stages; and thus the work is more and more departing from the Bar, and remaining in the hands of the solicitors.

The county courts were instituted in 1846; the number of causes have increased, but the average amount sued for decreased. In 1853 the number of plaints was 484,946, and the average amount sued for was £3; in 1858 the plaints were 738,754, and the average amount was £2 14s.; in 1859 the plaints were 714,623, and the average amount was £2 9.; in 1860 the plaints were 782,384, and the average amount was £2 8s. 1d.; in 1861 the plaints were 903,957, and the average amount was £2 7s. 11d. In the superior courts the decrease in writs issued in 1859, as compared with 1858, was 16 per cent.; in 1860 there was a recovery of 10 per cent, and in 1861 a further rise, equal to 17 per cent, the number in 1861 being 114,301. The amounts for which judgment is recovered are gradually diminishing, and in 1861 only averaged £7 7s. for each judgment. Most cases were therefore undisputed, and, in fact, in 1861, only 29,100 defendants, or one-fourth of those summoned, entered appearances, and only 2,140, or 1·88 per cent. of the writs issued, came to actual trial. During the last two years the causes tried have scarcely increased at all. In the county courts the proportion of causes tried to those of plaints issued is nearly 50 per cent. In chancery, the number of bills filed in 1753 was exactly the same as in 1861. From these statistics it may be inferred that the main use of the courts is increasingly that of a mere compulsory *reminder* of claims which are not seriously disputed. A decision of the Courts is less and less frequently required, and the business of the Bar therefore decreases more rapidly than that of the solicitors.

There is also a gradual change taking place in the relative position of the Bar and the solicitor. Many who now come to the Bar have relatives who are solicitors, and consequently attain practice more rapidly than unfriended men who are thereby deterred from coming to the Bar, and consequently the two sections are becoming more and more closely drawn together. The writer thinks that in time the Bar and solicitors will form one profession, as in America.

These are only very brief notes of the paper, to which I beg to refer your readers for further information; but the conclusion to be drawn from it is, that the education of those intended for the profession of a solicitor, is not so high as that required of a W. S., and the social position therefore lower. The remedy is in our own hands by raising the standard of the preliminary examination, for it is not possible to divide the English solicitors into different classes like those in Scotland.

I have already trespassed too much on your space to make any further remarks, but I hope this will cause a discussion on the subject, and help on the scheme of a law university.

London, March 18. H. B.

ARTICLED CLERK— RIGHT TO MAKE COPIES OF PRECEDENTS, &c.

Will any one of your numerous readers be good enough to answer the *quære* on this, *ante*, p. 262.

## PARLIAMENT AND LEGISLATION.

### HOUSE OF LORDS.

*Monday, March* 16.

LEASES AND SALES OF SETTLED ESTATES.

The LORD CHANCELLOR brought in a bill to amend the Leases and Sales of Settled Estates Act.

The bill was read a first time.

TRANSFER OF LAND ACT, 1862

The following is the return made pursuant to an order of the House of Lords, dated 9th of February, 1863, of the number of titles which have been registered under the provisions of the Act down to the 9th day of February, and of the number of applications which are still pending, or which have been withdrawn, or have not been prosecuted with success; and a statement of what has been done in respect of the pending applications.

1. Return of the number of titles which have been registered under the provisions of the Act of 25 and 26 Vict. c. 53, down to the 9th day of February:—None actually registered,

2. The number of applications which are still pending:—Eighteen.

3. The number of applications which have been withdrawn, or have not been prosecuted with success:—Three.

4. A statement of what has been done in respect of the pending applications:—

One is ready to be advertised under the 11th section.

Two; the titles having been accepted, the maps of the properties are before Colonel Leach to settle.

Two; the abstracts of title are before the Examiner of Title for his opinion.

One is waiting for answers to requisitions made on the abstract.

Two; the abstracts are in course of examination in the office with the original documents.

One; the abstract is delivered and standing for consideration, the right to apply not being yet satisfactorily shown.

Two; abstracts of title have been delivered, but further abstracts have been required, which have not been yet sent in.

Seven; applications to register delivered, but abstracts not yet sent in.

### HOUSE OF COMMONS.

*Tuesday, March* 17.

The ollowing petitions were presented in favour of the Writs Prohibition Bill,—By Lord H. Thynne, from bankers, merchants, and inhabitants of Warminster; by Mr. Hardcastle, from Sudbury, Suffolk; by Sir J. Trollope, from bankers, merchants, and traders of Spalding.

The following petitions were presented against the Writs Prohibition Bill;—By Lord J. Manners, from the Loughborough branch of the Nottinghamshire and Midland Merchants and Traders' Association; by Sir F. Crossley, from inhabitants of Poole; by Mr. Grenfell, from attorneys and solicitors of Preston, and from the Preston Guardian Trade Protection Society; by Mr. Gregson, from merchants, bankers, and manufacturers of Plymouth; by Mr. Hodgkinson, from Newark branch of the Nottinghamshire and Midland Merchants' and Traders' Association; by Mr. H. Lewis, from the president and committee of management of the London Association for the Protection of Trade; by Mr. A. Turner, from Manchester Law Association.

### Writs Prohibition Bill.

Mr. Bouverie gave notice that he should not proceed with the second reading of this bill, but that he should bring in another bill on the same subject in an amended shape, with which he should proceed after Easter.

### The Bankruptcy Act.

Mr. Murray asked the Attorney-General when the annual general return, judicial and financial, required under the 67th section of the Bankruptcy Act, 1861, to be framed from the returns made to the Chief Registrar of the Court of Bankruptcy, would be laid before Parliament.

The Attorney-General replied that some delay had taken place in obtaining the returns from the country, but he hoped they would be laid upon the table the first day the House should meet after Easter.

### Change of Names.

Mr. Roebuck moved an address for returns of the names of all persons who had applied for licences to change their names since 1810; of the instances in which such licences had been granted during that period, together with a statement of the names of the successful applicants, and of the names which they had been permitted to assume by Royal licence; of the names of the persons so applying who have been refused during the same period, with the reasons assigned in each case for the refusal; of the principles by which the Home Office was guided in granting and refusing such licences, and of the amount of fees demanded for such licences since 1810, and the manner in which the moneys received had been applied. Also for returns of the names and titles of the various officers of the College of Arms in England, Scotland, and Ireland; of the duties which were performed by such officers, separately and together; of the names of persons who had applied for grants of arms, or privilege to make changes in their existing arms, since 1850, stating the cases in which such applications had been granted or refused, together with the reasons assigned for such refusal; of the fees which had been demanded upon making the grants and conferring the powers applied for; and of all the emoluments of the said officers, specifying the sources from which they emanated. The first thing he would do was to state clearly what was the law upon the subject, and he would then ask the house to agree with him that it was a matter of importance that the law should be fairly carried out. He asserted that any man had a right to take any name he pleased, upon any occasion he pleased, and for any reason he pleased, excepting fraud. For that purpose he required no licence whatever: no Act of Parliament was needed. That he stated to be the law, and in order to make the matter clear he would read a few passages from a book in his hand that really contained all the law on the subject. It was, "On Surnames," and was by Mr. Falkner, a judge in Wales. The writer said that "In the year 1735, when the question of the manner in which surnames should be changed was before the House of Lords, no notice was taken of any supposed power of the Crown to grant licences in such cases. Secondly, that any person could take any surname, and that the law recognised the new name when assumed publicly and *bonâ fide*—that is the decision of Chief Justice Tindal, Lord Stowell, and others. Thirdly, he might assume any surname, or as many surnames as he pleased. Fourthly, where both Christian and surname have been changed the law recognised the assumed names — that was Lord Ellenborough's decision in the Court of King's Bench. Fifthly, no Act of Parliament or Royal licence is required to sanction a change of name, unless a new name is directed by a donor of land to be assumed by the donee — that is the decision of Lord Chief Justice Tenterden. Sixthly, when a name is assumed by Royal licence, it is so assumed by the act of the person taking the name, and the name is not conferred by the licence. Seventhly, that the effect of the Royal license is merely to give publicity and notoriety to the change of name. Eighthly, that when by any Act of Parliament judges have control of a particular roll of names they will, on a change of name made publicly and *bonâ fide*, direct the new name to be added to the roll, though it may be assumed without a Royal licence, and merely by the act of the person whose name is changed."

Lord Montagu seconded the motion.

Sir G. Grey suggested that the motion should be confined to a return of the number of persons who had applied for royal licence to change their names, and of the number granted, and a return of the fees paid and the manner in which the money was applied.

The Solicitor-General had not intended to take part in the discussion but for the pointed reference made by the hon. and learned gentleman to him. It had been correctly stated that there was no general or positive law on the subject, and it was true as a matter of history that surnames had grown up in consequence of the practice of people calling each other nicknames; therefore there could be no positive law upon the subject. It was a matter of usage and reputation. A name clung to a person, and the law permitted him to do what he could to shuffle it off. There was no law to forbid any number of persons to assist him in so doing, or to prevent his neighbours calling him the name he chose. At the same time there was no law to compel others to call him by that name. With reference to what had taken place in the legal courts, although it was quite true that the courts had permitted gentlemen on application to change their names, yet after the discussions that took place on the subject, and the correspondence in the newspapers, Lord Chief Justice Cockburn distinctly stated that what had been done by them was a matter of convenience, and that they did not recognise the right of any gentleman to come before them and to insist upon a change of name. No doubt under ordinary circumstances it would be gentlemanlike and courteous to call a person by the name that he had adopted, but it was manifest that in the public service it would be most inconvenient if they were called upon to alter the *Army and Navy List* every now and then at the caprice of those officers who chose from a variety of reasons to change their names and to take the names of other families.

Mr. Roebuck then altered his motion in accordance with the suggestion of Sir G. Grey, and thus altered it was agreed to.

*Wednesday, March* 18.

Mr. Baxley, presented a petition from the Leicester Law Society, against the Writs Prohibition Bill.

## Pending Measures of Legislation.

### Liability of Innkeepers.

The following Bills have been introduced into the House of Commons on this subject:—

#### No. I.

A Bill to amend the Law respecting the Liability of Innkeepers, and to Prevent certain Frauds upon Them.

Recites, that it has happened that from the great facility given to travelling by railway and otherwise the quantity and value of the goods and property brought by travellers to inns is so much increased that the old common law rule, which renders innkeepers responsible for the goods of their guests which may be stolen or lost, has rendered the trade of an innkeeper extremely hazardous and dangerous: and that it is but fair and reasonable that a remedy should be provided in this behalf: and proposes it shall be enacted as follows:

1. No innkeeper shall hereafter be holden to be responsible for goods or property of his guests where the value thereof exceeds £20, except for such as may be deposited with such innkeeper expressly for safe custody; and where such goods or property shall be so deposited for safe custody, it shall be lawful for such innkeeper to require that each article thereof shall be exhibited to him, and its value declared to him.

2. Where goods or property are so deposited with and exhibited to an innkeeper, and the same are afterwards stolen or lost, such innkeeper shall not be concluded by the price or value set thereon by the guest, as is aforesaid, but it shall be incumbent on the guest to prove the actual value of the same.

3. The words and expressions hereinafter contained, which in their ordinary signification have a more confined or a different meaning, shall in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows: that is to say, the word "innkeeper" shall mean the keeper of any hotel, inn, tavern, public-house, or other place of refreshment; and the word "property" shall mean money, securities for money, title deeds, precious stones, jewellery, wearing apparel, goods, wares, merchandize, chattels and effects, animals and things, of every description, and the receptacles for the same.

#### No. II.

A Bill to Define and Limit the Liability of Innkeepers.

Recites, that innkeepers are by the law of England bound to keep safely in their inns the goods which persons may bring with and have with them while stopping as guests in

such inn, and are liable for any loss incurred by their failure in fulfilling such obligation: and whereas innkeepers under such law incur in the case of every guest an unknown and indefinite liability, and are often made liable for great and unreasonable amounts, and that even in cases in which they are not chargeable with any want of proper and reasonable care, and are also subject to frauds practised on them in relation to alleged losses of goods by persons stopping in their inns, and it is expedient to provide a remedy for the same; and proposes it shall be enacted as follows:

1. In any action hereafter to be brought against any innkeeper for any loss occasioned by his failure to fulfil his obligation as such innkeeper to keep safely the goods of any guest, no greater damages shall be recovered than £20, unless it shall be averred in the pleadings, and expressly proved on any trial of such action, that such loss was occasioned by the wilful default or misconduct of the innkeeper or his servants, or by the want on his part of reasonable care.

2. No innkeeper shall hereafter be deemed liable for the safe keeping of any of the following goods by reason of the same being brought by a guest into his inn; that is to say, any gold or silver coin of the realm or of any foreign country, or any precious metals, or any bank-notes or other securities for money, to any greater extent in the whole than £50, nor for any ornaments, jewellery, or other valuable articles to any greater extent than £50, nor for any goods of any nature or kind whatsoever which such guest shall carry with him otherwise than in the way of his trade, unless in each and every case such innkeeper shall be apprised of the possession of such articles by his guest, and shall agree to be responsible for the safe keeping of the same, in which case he shall be liable as if this Act had not been passed.

3. Nothing in this Act contained shall alter or affect the liability of an innkeeper further or otherwise than is herein expressly declared, nor shall it in any matter alter or affect the liability of any innkeeper upon any contract relating to the safe keeping of any goods, nor shall it in any manner protect any innkeeper in any case in which he may be liable independently of his common law liability to keep safely the goods of his guests.

4. The word "innkeeper" in this Act shall extend to and include all keepers of hotels, taverns, and all other persons who are by law responsible as innkeepers for the safe custody of the goods of persons stopping in their hotels, taverns, or houses.

5. This Act may be cited as "The Innkeepers Liability Act, 1863."

6. This Act shall not extend to Scotland.

LEASES AND SALES OF SETTLED ESTATES ACT AMENDMENT.

A bill to amend the Settled Estates Act, 1856, has been introduced into the House of Lords by the Lord Chancellor. It contains only one clause, which is as follows:

Whenever the Court of Chancery, in pursuance of the power contained in the tenth section of the said Act, shall have vested or shall hereafter vest in any trustees a power of leasing any settled estate, it shall not be necessary for the Court to require or for the trustees to obtain the approval of the said Court of any lease to be made in exercise of such power, or any further sanction to the same; provided always, that nothing herein contained shall prevent the said Court from requiring its sanction to any lease to be made under any such power whenever from the special and peculiar circumstances of any particular case it shall appear to the Court that such sanction ought to be required.

## SOCIETIES AND INSTITUTIONS.

### EQUITY AND LAW LIFE ASSURANCE SOCIETY.

At the annual general meeting of this Society, held on Thursday, the 12th of March, 1863, at the Society's house, 18, Lincoln's-inn-fields, at which Mr. J. M. Clabon presided, the directors presented their annual report, from which it appeared that the past year had witnessed a greater increase of the Society's income and assets than any preceding one.

In the course of the year 152 policies were issued, assuring the sum of £211,050, the new premiums received in respect thereof being £7,224 10s. 3d. The amount of the new premiums falls a little short of that obtained in 1860, but with that exception was the largest hitherto realized; while the sum assured by the new policies, which, for the purpose of comparison, was the more important element, exceeded the corresponding amount in any previous year.

The total income of the year 1862 was £72,382 10s. 10d., and the total outgoings were £30,937 19s. 10d. The assets of the society had been increased by the difference, viz., £41,444 11s., and then amounted to £350,780 6s. 5d. No less than 57 per cent. of the total income had been added to the assets in the year.

The mortality experienced among the assured continued to be remarkably favourable. Twelve persons had died, insured by fifteen policies, in respect of which the sum of £10,070 9s. had become payable.

The interest receiveable in the year 1862 was £13,323 9s. 5d., being at the rate of £4 13s. per cent. on the assets (excluding reversions) at the beginning of the year. The number of policies in force on the 31st of December last was 1,581, and the amount insured thereby £1,824,668. Early last year the directors decided to increase to £6,000 the sum to be retained at the risk of the society on the same life, which had remained at £5,000 since the year 1852.

## OBITUARY.

### MR. SERJEANT WRANGHAM.

Mr. Serjeant Wrangham died on the 10th instant, aged 58. He was the eldest son of Archdeacon Wrangham. He took a double first degree at Oxford in 1826, and was called to the bar in 1829, but he began public life rather as a politician than a lawyer. He was selected, solely on the ground of his academical distinction, by Lord Audley as his private secretary at the Foreign Office; and he remained, at Lord Aberdeen's request, in the same office during the Duke of Wellington's administration. For a short time, too, he sat in Parliament for Sudbury. He then returned to practice at the bar, and went the Northern Circuit; but was soon induced to leave it by his increasing Parliamentary practice, at first, chiefly in election petitions, but afterwards, and for many years exclusively, in committees on private bills, in which he shared the lead with Mr. Austin, who retired in 1847, and Mr. Talbot, who died in 1852. His style of speaking, which was always classical, and when the occasion justified it, eloquent, was thought by casual spectators, and occasional practitioners, slow and heavy But those who were in constant intercourse and friendly conflict with him well knew that no advocate possessed more real power of argument and quickness of apprehension, surer judgment in the management of a case, or a clearer grasp and recollection of the most complicated details. In short, he was an advocate whom no client of experience willingly allowed to appear against him. Yet none had less of the qualities which are sometimes ignorantly supposed to be essential to success, especially before a tribunal of "laymen." For no man's victories were ever less achieved by mere dexterity, or by any approach to the verge of misrepresentation. Anything which Serjeant Wrangham stated as a fact might be implicitly received as true. Of the respect and regard in which he was held by his professional brethren of all classes it would be difficult to speak justly without the appearance of exaggeration. He was truly regarded by everyone as the father as well as the leader of the Parliamentary Bar. For many years his health had been feeble, and for several sessions he had been obliged to retire occasionally for a few weeks when business was at the heaviest. He married the sister of the present Mr. F. H. Fawkes, of Farnley, but has been a widower for many years. He has left two sons, the eldest of whom is at the bar, the second vicar of North Cave, in Yorkshire, and a daughter who is the wife of Mr. Henry Calley, of Burderop-park, in Wiltshire.

### ETIQUETTE OF THE BAR.

We extract the following remarks from a pamphlet by G. Shaw Lefevre, Esq., on "The Discipline of the Bar," recently published.

When we look at the present practice of the profession, we certainly do not find that entire absence of pecuniary interest, and of anything in the nature of hiring and services, or of bargains between counsel and client as to fees which was the boast of the Bar in times when, by a curious conceit, in imitation of the Roman *patroni*, our barristers wore a purse hanging from the backs of their forensic costume, into which the client might, unseen, put his fee, lest they should be tainted by the handling of money and the discussion of terms; the vestiges of which custom are still to be seen in the purse hanging from the barrister's gown. Whatever ancient rules of

etiquette there were on this point have disappeared; counsel in nine cases out of ten, do not receive their fees beforehand, notwithstanding an ancient etiquette to that effect (see Bayley J., in *Morris* v. *Hunt*, 1 Chitty, 544), "counsel are to be paid beforehand, because they are not to be left to the chance whether they shall ultimately get their fees or not. It is their duty to take care that they get them beforehand, and the law allows no remedy if they disregard their duty." And again, on the important question of the amount of the fee . . . the counsel will require with the brief, the client well knows that if the best man will not take the brief for the fee, which is all that he can offer, there are others who hold second rank, who will be quite willing to do so; and thus competition of the most unlimited character virtually takes place. I am unable to see how these facts are inconsistent with the highest moral sense of duty in counsel, or the utmost devotion to the interests of their clients, or with the independence and disinterestedness so much to be aimed at. The same can, perhaps, scarcely be said of that which has become not uncommon in recent times, which has been much commented on in the press, and for which the Bar has suffered some unmerited censure. I allude to the increasing tendency of counsel to hold more briefs than they can conveniently give attention to. No doubt great difficulty has arisen from the multiplication of courts at Westminster and Guildhall, from the judges often sitting at both places at the same time, from the increase of business, and from the manner in which business is brought on in the courts, making it all but impossible to predict with any certainty when particular cases are likely to be tried. Then, again, the judges take no cognizance of what is going on in other courts, and rarely postpone cases for convenience of counsel engaged elsewhere; and it often happens that counsel who have but a small business find two or three cases coming on at the same time in different courts; and much more is this the case with men in larger practice. Cases are often not tried till weeks and months after the briefs are delivered; and it happens also that attorneys often press upon counsel a brief with the knowledge that he will probably be unable to attend to the case, and the brief is often handed over to another counsel with the full consent of the client. In other cases, counsel are retained and briefs delivered with the sole view of preventing them from appearing on the other side, on the principle, it is to be supposed, that "speech is silver, but silence is gold." But making every allowance for these, it is still impossible to deny that cases have occurred in which clients have a right to complain, where perhaps they have found neither of their counsel in court when their case is on, or the places of one or more of them supplied by others who have neither advised nor consulted with them in the case; it is obvious that one such case does more injury to the reputation of the Bar than years of devotion from the great body of the Bar, and gives rise to a complaint that desire for gain rather than a sense of duty are its characteristics. It is truly said that the evil bears its own cure, for if cases are neglected the counsel will lose his client and clients are more easily lost than gained; but this of course is poor consolation for the sufferer.

Another common defence made for this practice is, that in accepting the brief or fee, the counsel does not absolutely promise to attend to the case, but only to do so if he finds himself able with reference to other business which he has in hand, and that the attorney well knows this, and does not expect the counsel to do more than attend to the cases he may have, as their relative importance requires—an excuse which is based on the supposition of a contract between counsel and attorney, and not on the high theory of duty laid down by the Chief Justice (in *Kennedy* v. *Brown*). The ordinary duty implied in taking a brief must be to hold it, to do the work, and not to give the client an expectancy, or to hand the brief to another. If the Bar were like other professions and trades, and its members were answerable for negligence or for breach of contract, no question could arise upon such a practice, because the advocate who did not attend would, unless some such special contract could be shown, be liable to the consequences of his neglect, and would probably have to pay the costs of the day incurred by postponing the case, if the client did not choose to go on without him, or to adopt the substitute.

The same complaints were formerly made of the Chancery Bar; till by an arrangement among the leading counsel, who restricted themselves to certain courts, the practice was put an end to . . . At the Parliamentary Bar, where, more than elsewhere, the practice has grown up of counsel holding briefs at the same time in many cases, and where, from the peculiar nature of the work, it is almost impossible that it could be otherwise, there is a very strong feeling against counsel handing over the briefs to others to hold for them, and it is seldom, if ever, done.

## LAW STUDENTS' JOURNAL.

### INNS OF COURT EXAMINATION.

TRINITY TERM, 1863.

The Council of Legal Education have approved of the following rules for the public examination of the students.

The attention of the students is requested to the following rules of the Inns of Court:—

"As an inducement to students to propose themselves for examination, studentships shall be founded of fifty guineas per annum each to continue for a period of three years, and one such studentship shall be conferred on the most distinguished student at each public examination; and further, the examiners shall select and certify the names of three other students who shall have passed the next best examination; and the Inns of Court to which such students belong may, if desired, dispense with any terms, not exceeding two, that may remain to be kept by such students previously to their being called to the bar. Provided that the examiners shall not be obliged to confer or grant any studentship or certificate, unless they shall be of opinion that the examination of the students they select has been such as entitles them thereto."

"At every call to the bar those students who have passed a public examination, and either obtained a studentship or a certificate of honour, shall take rank in seniority over all other students who shall be called on the same day."

"No students shall be eligible to be called to the bar who shall not either have attended during one whole year the lectures of two of the readers, or have satisfactorily passed a public examination."

RULES FOR THE PUBLIC EXAMINATION OF CANDIDATES FOR HONOURS, OR CERTIFICATES, ENTITLING STUDENTS TO BE CALLED TO THE BAR.

An examination will be held in next Trinity Term, to which a student of any of the Inns of Court, who is desirous of becoming a candidate for a studentship or honours, or of obtaining a certificate of fitness for being called to the bar, will be admissible.

Each student proposing to submit himself for examination will be required to enter his name at the treasurer's office of the Inn of Court to which he belongs, on or before Tuesday, the 12th of May next, and he will further be required to state in writing whether his object in offering himself for examination is to compete for a studentship or other honourable distinction, or whether he is merely desirous of obtaining a certificate preliminary to a call to the bar.

The examination will commence on Tuesday, the 19th of May next, and will be continued on the Wednesday and Thursday following. It will take place in the Bencher's Reading Room of Lincoln's-inn; and the doors will be closed ten minutes after the time appointed for the commencement of the examination. The examination by printed questions will be conducted in the following order:—

Tuesday morning, the 19th of May, at half-past nine, on Constitutional Law and Legal History; in the afternoon, at half-past one, on Equity.

Wednesday morning, the 20th of May, at half-past nine, on Common Law; in the afternoon, at half-past one, on the Law of Real Property, &c.

Thursday morning, the 21st of May, at half-past nine, on Jurisprudence and the Civil Law; in the afternoon, at half-past one, a paper will be given to the students including questions bearing upon all the foregoing subjects of examination.

The oral examination will be conducted in the same order, during the same hours, and on the same subjects, as those already marked out for the examination by printed questions, except that on Thursday afternoon there will be no oral examination.

The oral examination of each student will be conducted apart from the other students; and the character of that examination will vary according as the student is a candidate for honours or a studentship, or desires simply to obtain a certificate.

The oral examination and printed questions will be founded on the books mentioned at the foot of the rules: regard being had, however, to the particular object with a view to which the student presents himself for examination.

In determining the question whether a student has passed the examination in such a manner as to entitle him to be called

to the bar, the examiners will principally have regard to the general knowledge of law and jurisprudence which he has displayed.

A student may present himself at any number of examinations, until he shall have obtained a certificate.

Any student who shall obtain a certificate may present himself a second time for examination as a candidate for the studentship, but only at one of the three examinations immediately succeeding that at which he shall have obtained such certificate; provided, that if any student so presenting himself shall not succeed in obtaining the studentship, his name shall not appear in the list.

Students who have kept more than eleven terms shall not be admitted to an examination for the studentship.

## PUBLIC COMPANIES.

### BILLS IN PARLIAMENT

FOR THE FORMATION OF NEW LINES OF RAILWAY IN ENGLAND AND WALES.

The following bills for the formation of new lines of railway have passed through committee in the House of Commons:—

BERKS AND HANTS.—Extension.
VALE OF LLANGOLLEN.
EVESHAM AND REDDITCH.
NEWPORT PAGNALL.
NORTHAMPTON AND BANBURY.
KESWICK AND PENRITH.
LEATHERHEAD AND DORKING.
MID-WALES.

### MEETINGS.

CALEDONIAN RAILWAY.

At the half-yearly meeting of this company, held on the 17th inst., a dividend at the rate of 6 per cent. per annum was declared for the past half-year.

MONMOUTHSHIRE RAILWAY.

At the half-yearly meeting of this company, held on the 18th inst., a dividend at the rate of 5½ per cent. per annum, was declared for the past half-year.

### PROJECTED COMPANIES.

UNITED LONDON NEWSPAPER COMPANY LIMITED.

Capital £20,000, in 20,000 shares of £1 each.

Solicitor.—H. C. Barker, Esq., 7, Furnival's-inn.

The object of this company is the establishment of a morning and evening newspaper, which shall in every respect be equal in intelligence, talent, and conduct, to newspapers of the highest class and reputation. And the object aimed at by the company is stated to be a direct competition in excellence with the *Times*, and in price with the cheapest newspapers.

## ADMISSION OF ATTORNEYS.

### Queen's Bench.

### NOTICES OF ADMISSION.

*Easter Term*, 1863.

[The clerks' names appear in small capitals, and the attorneys to whom articled or assigned follow in ordinary type.]

ADAMSON, HORATIO ALFRED.—Charles Alexander Adamson, North Shields.

AINSWORTH, THOMAS SOMNER.—Thomas Crooke Ainsworth, Blackburn.

ANGIER, CHARLES ALLAN.—Richard Francis Jennings, Ipswich; George Chapman, 24, Lincoln's-inn-fields.

ARNISON, CHARLES NATHAN.—William Burra Arnison, Penrith.

ATTLEE, HENRY.—Charles Claridge Druce, 10, Billiter-square, City.

BARKER, WALFORD HENRY.—Henry John Barker, Wem, Salop; Christopher Cuff, 82, St. Martin's-lane.

BARNES, JEREMIAH.—John Lomas Cufaude, Great Yarmouth.

BARRETT, WILLIAM BOWLES.—George Andrews, Weymouth; and Melcombe Regis, Dorset.

BARROW, GEORGE.—Joseph Shipton, Chesterfield.

BEAUMONT, THOMAS.—W. A. Day, 11, New Bridge-street; W. R. Prideaux, Shorter's-court, Throgmorton-street; C. Smale, 18, New Bridge-street, Blackfriars.

BENNETT, NORMAN.—William Bennett, Chapel-en-le-frith.

BENNETT, THOMAS.—Edward Ormond, Wantage.

BLYTH, FREDERICK BRANTON.—George Pearson Nicholson, Wath, near Rotherham, York.

BOWER, GEORGE BROWNLOW.—William Thomas Reeve, 10, Tokenhouse-chambers, Tokenhouse-yard Lothbury.

BRADGATE, CHARLES.—John Phillpotts, Newport.

BRANDWOOD, JOHN, Jun.—Henry Marriott Richardson, Bolton.

BURTON, JOHN, Jun.—Robert William Litchfield, Newcastle-under-Lyme.

BURY, REGINALD.—Frederick Horatio Barr, Leeds, York.

CADMAN, HENRY, Jun.—William Carr, Gomersal.

COLEMAN, JOHN HALL.—James Bretherton, Gloucester.

COULSON, JOHN HARDY.—Charles Marfleet Barron Veal, Great-Grimsby, Lincoln.

CUDLIPP, RALPH BROOKING.—Christopher Vickry Bridgman Tavistock.

DALLOW, THOMAS.—Thomas Pinchard, Wolverhampton.

DANIELS, THOMAS ISAAC.—Thomas Daniels, Amersham.

DAVIES, SAMUEL RICHARD.—John Cooke, Chase Ross, Hereford.

DITCHMAN, WILLIAM.—Henry Wells Young, 14, Gray's-inn-square; Edward Montagu Burrell, Ironmonger-lane; William Wood, 14, Gray's-inn-square.

DUMBLETON, HORATIO (B.A.)—James Thomas Bolton, Solihull, Warwick.

DURHAM, JOHN.—John Parrott, Stony Stratford, Bucks.

EDWARDS, EDWARD RASBROOK.—Alfred Octavius Underwood, 89, Chancery-lane.

FERNS, GEORGE EGERTON.—George Morton Ferns, Stockport.

FILDER, HERBERT WALL.—Edward Jones Filder, 1, New-square, Lincoln's-inn.

FLOWER, JOHN.—John Wickham Flower, 17, Gracechurch-street.

FOOTNER, ARTHUR.—George Bright Footner, Romsey, Southampton.

HARRISON, CARTNELL.—Thomas Harrison, Kendal, Westmoreland.

HAWTHORNE, BENJAMIN SUTTON.—Charles Cooper, Manchester.

HAYNES, GEORGE BAKER.—Charles Collins, Swansea; Charles Basil Mansfield, Swansea.

HESTER, FREDERIC.—George Parsons Hester, Oxford.

HEWLETT, RICHARD.—William Antony Freston, Stroud, Gloucester; John Thomas White, 11, Bedford-row.

HUTTON, WILLIAM JAMES.—Thomas Harrison, Kendal.

JAMES, SAMUEL KILNER.—William Burra Arnison, Penrith.

JENKINS, BENJAMIN.—William Henry Thomas, Aberystwyth.

JOHNSON, SAMUEL.—Thomas Smith Jun., Sheffield.

JONES, WILLIAM.—William Hughes, Conway.

JUDSON, GEORGE EDWARD.—Samuel Clapham, Leeds.

JUPP, CHARLES.—Charles James Abbott, 8, New-inn.

KERLY, ALEXANDER.—William Henry Waller, 2, Duke-street, Adelphi.

KNAPP, HENRY.—L. L. Roberts, 62, Moorgate street; E. L. Rowcliffe, 1, Bedford-row.

LAUNDY, RICHARD.—Robert Jackson Kent, 33, Essex-street Strand.

LEWIN, SAMUEL HERBERT.—George Burrow Gregory, 1, Bedford-row.

LIDDLE, CHARLES ROWLAND.—William Liddle, Newport Salop.

LISTER, CHARLES AMOS.—George Brett, Salford, Lancaster.

LUCAS, WILLIAM, Jun.—William Lucas, Sen, Wem, Salop.

MAWSON, HENRY HOWSON.—Bertie Markland, Leeds.

MILLICAN, JOHN GEORGE.—Christopher Fairer, Penrith.

MURROW, CHARLES.—R. C. Brown, Liverpool

NICHOLSON, ROBERT,—C. Bardswell, Liverpool; J. H. Bardswell, Liverpool.

NEWTON, JAMES BANNER.—Edward Banner, Liverpool.

PARKER, HENRY.—D. H. Serrell, 1, South-square, Gray's-inn.

PEARSON, JOHN GEORGE.—George Marcy, Wellington.

PHILPOT, HENRY.—Edwin Wilkins Field 41, Bedford-row; W. Sharpe, 41, Bedford-row.

RAYNES, WILLIAM RACE.—O. R. Wilkinson, St. Neots.

ROBERTS, EDWARD.—Richard Humphreys, Saint Asaph, Flint.

ROBERTS, FRANCIS EDWARD.—S. J. Roberts, Chester.

RING, RICHARD, Jun.—Henry Shorland Watts, Yeovil, Somerset.

RUSSELL, DAVID.—H. J. Coleman, Pontefract.

SLADE, JOHN, Jun.—G. P. Slade, Yeovil; J. Slade, Yeovil.

SNOW, HARRY.—John William Danby, Lincoln.

SMITH, EDWARD ORFORD.—Frederick Scudamore, Maidstone.

SPENCER, GEORGE WAKEFIELD.—W. Spencer, Birmingham.
STAPLETON, VALENTINE.—Thomas Greenwood Teale, Leeds.
STOCKEN, ALFRED.—George de Vins Wade, Baldock.
STOREY, WALTER.—Adam Crossfield Foster, Halifax.
STOWE, ALFRED.—Matthew Dobson Lowndes. Liverpool.
STRATTON, FREDERIC.—James Alfred Mew, Newport.
TANDY, FREDERICK.—Arthur Ryland, Birmingham; Thomas Burton Howard, Dudley.
THOMPSON, LUKE, Jun.—Luke Thompson, Senior, York.
THOMPSON, WALTER.—T. Mallam, Oxford.
TOWNEND, JAMES HAMILTON.—Charles Sawbridge, 126, Wood-street, Cheapside.
TUDOR, JOHN ROBERT.—Richard Barker, Chester.
WALSH, HERBERT.—John Cross, 9, Staple-inn; John Workman Lamb, Basingstoke.
WALTON, JOSEPH.—Christopher Bland Walker, Preston.
WAREING, HENRY BARTON.—F. D. Lowndes, Liverpool.
WATTS, JOHN.—Frederick William Thorp, St. Ives.
WATTS, JOHN HARRISON.—William Watts, Dewsbury.
WEBB, SYDNEY.—George Carter Morrison, Reigate; Charles James Hampton, 7, John-street, Bedford-row.
WELLBELOVED, HENRY READ.—Robert Barr, Leeds.
WILDE, WILLIAM GEORGE.—Sir William Foster, Bart., Norwich.
WILKINSON, ALFRED HENRY.—H. Llewellin, Chancery-lane.
WILLIAMS, JOHN THOMAS.—William Wanklyn, Monmouth; Henry Roberts, Monmouth.
WHEATCROFT, WILLIAM GEORGE.—Philip Hubbersty, Wirksworth.
WYATT, FREDERICK.—Benjamin Lewis, 9, London-street, Fenchurch-street.
YOUNG, THOMAS.—William Watson, Jun., Barnard Castle.

*Easter Vacation*, 1863.

TALBOT, JOHN.—R. Holden, Liverpool; E. Mackeson, 59, Lincoln's-inn-fields.

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The Copyhold Commissioners, in their report for the past year, which has been recently issued, say:—"We have now completed 4,141 enfranchisements and commutations, of which 678 enfranchisements have been effected during the present year. The particulars of these last are stated in a schedule and amount to 101 enfranchisements in clerical manors, 72 in collegiate manors, and 505 in lay manors. Besides these enfranchisements we have received 266 applications, of which 68 are under the voluntary, and 198 under the compulsory powers of the Acts. We have further to report, that in pursuance of the powers vested in us by 'The Universities and College Estates Act, 1858,' and 'The Universities and College Estates Act Extension, 1860,' we have authorised 135 sales, 40 purchases, 22 enfranchisements, 9 exchanges, and 9 applications from colleges for raising money for purposes of improvement. Of these, 28 sales, 13 purchases, 6 enfranchisements, 1 exchange, and 5 applications for raising money for purposes of improvement, have been authorised during the present year."

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## COURT PAPERS.

### Queen's Bench.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir ALEXANDER EDMUND COCKBURN, Bart, Lord Chief Justice of Her Majesty's Court of Queen's Bench, in and after Easter Term, 1863.

IN TERM.

| Middlesex. | London. |
|---|---|
| 1st sitting, Thursday, April 16 | 1st sitting, Monday, April 20 |
| 2nd „ Wednesday, „ 22 | 2nd „ Monday, „ 27 |
| 3rd „ Wednesday, „ 29 | |
| For undefended causes only. | |

AFTER TERM.

| Middlesex. | London. |
|---|---|
| Saturday.....May 9 | Wednesday ..... May 13 |

The Court will sit at ten o'clock every day.

The causes in the list for each of the above sitting days in Term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

Special juries will be tried in London at the sittings after term.

### Common Pleas.

Sittings at Nisi Prius, in Middlesex and London, before the Right Honourable Sir WILLIAM ERLE, Knight, Lord Chief Justice of Her Majesty's Court of Common Pleas at Westminster, in and after Easter Term, 1863.

IN TERM.

| Middlesex. | London. |
|---|---|
| Thursday.....April 16 | Monday .....April 20 |
| Wednesday ..... „ 22 | Monday ..... „ 27 |

AFTER TERM.

| Middlesex. | London. |
|---|---|
| Saturday.....May 9 | Wednesday ..... May 13 |

The Court will sit during and after Term at ten o'clock.

The causes in the list for each of the above sitting days in Term, if not disposed of on those days, will be tried by adjournment on the days following each of such sitting days.

### Exchequer of Pleas.

Sittings at Nisi Prius in Middlesex and London, before the Right Honourable Sir FREDERICK POLLOCK, Knight, Lord Chief Baron of Her Majesty's Court of Exchequer, in and after Easter Term, 1863.

IN TERM.

| Middlesex. | London. |
|---|---|
| 1st sitting, Thursday, April 16 | 1st sitting, Monday...April 20 |
| 2nd „ Wednesday, „ 22 | 2nd „ Monday... „ 27 |
| 3rd „ Wednesday, „ 29 | |

AFTER TERM.

| Middlesex. | London. |
|---|---|
| Saturday ..... .... May 9 | Wednesday ..... May 13 |

The Court will sit during and after Term at ten o'clock.

The Court will sit in Middlesex, at Nisi Prius, in Term, by adjournment from day to day until the causes entered for the respective Middlesex sittings are disposed of.

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### Court of Chancery.

SITTINGS—EASTER TERM, 1863.

LORD CHANCELLOR.
Westminster.

Wednesd. Ap. 15 — Apl. Mtns., Petns., & Apps. in Bkcy.

Lincoln's Inn.

Thursday Ap. 16
Friday.....17
Saturday ..18
Monday ....20
Tuesday ....21 — Appeals.

Wednesday .22 — Apps. in bkcy. & appls.

Thursday ..23 — App. mtns. & apps.

Friday.....24
Saturday ..25
Monday ....27
Tuesday ....28 — Appeals.

Wednesday 29 — Apps. in bkcy. & appls.

Thursday ..30 — App. mtns. & apps.

Friday, May 1
Saturday .. 2
Monday .... 4
Tuesday .... 5 — Appeals.

Wednesday 6 — Appl. petns., and apps. in bkcy.

Thursday .. 7 — App. mtns. & apps.
Friday .... 8 — Appeals.

NOTICE.—The days (if any) on which the Lord Chancellor shall be engaged in the House of Lords are excepted.

MASTER OF THE ROLLS.
Westminster.

Wednesd. Ap. 15 — Motions.

Chancery-lane.

Thursday Ap. 16
Friday.....17 — General paper.

Saturday ..18 — Petns., sht. caus., adj. sums., and general paper.

Monday ....20
Tuesday ....21 — General paper.
Wednesday 22

Thursday ..23 — Mtns. & gen. papr.
Friday.....24 — General paper.

Saturday ..25 — Petns., sht. caus., adj. sums., and general paper.

Monday ....27
Tuesday ....28 — General paper.
Wednesday .29

Thursday ..30 — Mtns. & gen. pa.
Friday, May 1 — General paper.

Saturday .. 2 — Petns., sht. caus., adj. sums., and general paper.

Monday .... 4
Tuesday .... 5 — General paper.
Wednesday 6

Thursday .. 7 — Mtns. & gen. pa.

Friday..... 8 — Petns., sht. caus., adj. sums., and general paper.

N.B.—Unopposed petitions must be presented and copies left with the Secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard; and any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

LORDS JUSTICES.
Westminster.

Wednesd. Ap. 15 — Appeal motions.

Lincoln's Inn.

Thursday Ap. 16 — App. mtns. & apps.

Friday.....17 — Petitns. in lunacy, app. petns., and apps.

Saturday ..18
Monday ....20 — Appeals.
Tuesday ....21

Wednesday .22 — Appeals.

Thursday ..23 — App. mtns. & apps.

Friday.....24 — Petns. in lunacy, app. petns., and apps.

Saturday ...25
Monday ....27 — Appeals.

Tuesday ....28 — Apps from the Cty. Palatn. of Lancastr. & appls.

Wednesday 29 — Appeals.

Thursday ..30 — App. mtns. & apps.

Friday. May 1 — Petns. in lunacy, app. petns, and apps.

Saturday .. 2 — Appeals.
Monday .... 4
Tuesday .... 5 — Appeals.
Wednesday.. 6

Thursday .. 7 — App. mtns. & apps.

Friday .... 8 — Petitns. in lunacy, app. petns., and apps.

NOTICE.—The days (if any) on which the Lord Justices shall be engaged in the Full Court, or at the Judicial Committee of the Privy Council, are excepted.

V. C. SIR R. T. KINDERSLEY.
Westminster.

Wednesd. Ap. 15 — Mtns., adj. sums., & gen. pa.

Lincoln's Inn.

Thursday Ap. 16 — General paper.

Friday.....17 — Ptns., adj. sums., & general paper.

Saturday ..18 — Sht. causes, adj. sums., & gen. pap.

Monday ....20
Tuesday ....21 — General paper
Wednesday .22

Thursday ..23 — Mtns., adj. sums., & gen. pa.

| | | |
|---|---|---|
| Friday.....24 | Petns., adj. sums., & general paper. |
| Saturday ..25 | Sht. causes, adj. sums., & gen. pa. |
| Monday ....27 | |
| Tuesday ....28 | General paper. |
| Wednesday..29 | |
| Thursday ..30 | Mtns., adj. sums., & gen. pa. |
| Friday May 1 | Petns., adj. sums., & general paper. |
| Saturday .. 2 | Sht. causes, adj. sums., & gen. pa. |
| Monday .... 4 | |
| Tuesday.... 5 | General paper. |
| Wednesday 6 | |
| Thursday .. 7 | Mtns., adj. sums., & general paper. |
| Friday .... 8 | Petns., sht. causes, adj. sums., and general paper. |

N.B.—Any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

V. C. SIR JOHN STUART.
Westminster.

Wednesd. Ap. 15..Motions.
Lincoln's Inn.

| | |
|---|---|
| Thursday Ap. 16..Causes, &c. | |
| Friday.....17..Petns., causes, &c | |
| Saturday ..18..Sht. caus, caus, &c. | |
| Monday ....20 | |
| Tuesday ....21 | Causes, &c. |
| Wednesday..22 | |
| Thursday ..23..Mtns., causes, &c. | |
| Friday .....24..Petns., causes, &c. | |
| Saturday ..25..Sht. caus, caus, &c. | |
| Monday ....27 | |
| Tuesday ....28 | Causes, &c. |
| Wednesday .29 | |
| Thursday ..30..Mtns., causes, &c. | |
| Friday May 1..Petns., causes, &c. | |
| Saturday .. 2..Sht. caus, caus, &c. | |
| Monday .... 4 | |
| Tuesday .... 5 | Causes, &c. |
| Wednesday . 6 | |
| Thursday .. 7..Mtns., causes, &c. | |
| Friday..... 8..Petns. & sht. caus. | |

N.B.—Any causes intended to be heard as short causes must be so marked, at least one clear day before the same can be put in the paper to be so heard.

No cause, motion for decree, or further consideration, shall, except by order of the Court, be marked to stand over, if it shall be within 12 of the last cause or matter in the printed paper of the day for hearing.

V. C. SIR W. P. WOOD.
Westminster.

Wednesd. Ap. 15..Motions.
Lincoln's Inn.

| | |
|---|---|
| Thursday Ap. 16 | General paper. |
| Friday.....17 | |
| Saturday ...18 | Petns., sht. caus., & general paper. |
| Monday ....20 | |
| Tuesday ....21 | General Paper. |
| Wednesday..22 | |
| Thursday ..23..Mtns. & gen. pa. | |
| Friday.....24..General paper. | |
| Saturday ..25 | Petns., sht. causes, & general paper. |
| Monday ....27 | |
| Tuesday ....28 | General paper. |
| Wednesday..29 | |
| Thursday ..30..Mtns. & gen. pa. | |
| Friday May 1..General paper. | |
| Saturday .. 2 | Petns., sht. causes, & general paper. |
| Monday .... 4 | |
| Tuesday .... 5 | General paper. |
| Wednesday . 6 | |
| Thursday .. 7..Mtns. & gen. pa. | |
| Friday..... 8 | Petns., sht. causes, & general paper. |

N.B.—Any causes intended to be heard as short causes must be so marked at least one clear day before the same can be put in the paper to be so heard.

## BIRTHS AND DEATHS.

### BIRTHS.

COCK—On March 16, at 19, Sunderland-terrace, Westbourne-park, the wife of Frederick K. H. Cock, Esq., Barrister-at-Law, of a daughter.

HARDING—On March 5, at 2, Sussex-street, Warwick-square, the wife of George R. Harding, Esq., Barrister-at-Law, of a daughter.

HARVEY—On March 6, at Riversdale-road, Aigburth, near Liverpool, the wife of Enoch Harvey, Esq., of a son.

LYNE—On March 12, at Sceartfield, Paignton, Devon, the wife of De Castro F. Lyne, Esq., Barrister-at-Law, of a daughter.

MUIRHEAD—On March 12, at 61, Northumberland-street, Edinburgh, the wife of James Muirhead, Esq., Advocate, of a daughter.

TRISTRAM—On March 17, at 64, Upper Berkeley-street, Portman-square, the wife of T. H. Tristram, Esq., D. C. L., Advocate of Doctors'-commons, of a daughter.

### DEATHS.

ATHERTON—On March 17, in Albert-street, Mornington-crescent, Elizabeth Saunderson, sole surviving daughter of the late Rev. William Atherton, and sister of the Attorney-General, M.P., in her 50th year.

CLARE—On March 11, Ambrose Clare, Esq., Solicitor, of 5, Size-lane, London.

CAVE—On March 10, Arthur Watkins, eldest child of Lewis W. Cave, Esq., of Berrylands, Surbiton, Barrister-at-Law.

WRANGHAM—On March 10, at The Rocks, near Bath, Digby Cayley Wrangham, Esq., one of her Majesty's Serjeants-at-Law, in the 58th year of his age.

KENNEDY—On March 14, at Devonshire-road, Balham, Reynolds, eldest son of Thomas Kennedy, Esq., of 26, Chancery-lane, aged 23.

ROBSON—On March 11, at Park-street, Ripon, James Pickering Robson, Esq., Solicitor, aged 48.

WESTBURY—On March 17, in the 61st year of her age, Lady Westbury, the wife of the Lord Chancellor.

WARNER—On March 9, at his residence, at Winchester, Isaac Warner, Esq., Solicitor, aged 48.

## UNCLAIMED STOCK IN THE BANK OF ENGLAND.

*The amount of Stock heretofore standing in the following Names will be transferred to the Parties claiming the same, unless other Claimants appear within Three Months:—*

ANDERSON, ROBERT, of Westoe, Esq., JAMES YOUNG, of South Shields, Esq. and GEORGE POTTS, of South Shields, Gent. £100 Consols.—Claimed by said R. Anderson, J. Young, and G. Potts.

LINDOE, ROBERT FREDERICK, M.D., Lion Lodge, Bath, deceased, and FREDERICK ERIBS LINDOE, a Minor. £943 3s. 5d. Consols.—Claimed by said F. E. Lindoe (now of age).

## HEIRS AT LAW AND NEXT OF KIN.

*(Advertised in the London Gazette.)*

GREW, ELIZABETH, Leamington Priors, Spinster. Solicitor, T. S. Wright, Leamington.

HUBBARD, ISAAC, Charlton, near Dover, Gent. Next of kin. Lloyd v. Latham, V. C. Kindersley.

## ESTATE EXCHANGE REPORT.

AT THE MART.

By Messrs. DEBENHAM & TEWSON.

Freehold residence, No. 9, Sol's Row, Hampstead-road, let under a lease for 31 years from 1833, at £54 per annum.—Sold for £1,470.

Leasehold three similar residences, Nos 11, 12, and 13, Park-villas, held for same term, at a ground-rent of £13 10s. per annum, let at £84 per per annum.—Sold for £810.

Freehold ground-rent of £47 per annum, secured upon premises No. 22, Cross-street, South Great George street, Bermondsey.—Sold for £990.

By Mr. H. W. MARLER.

Leasehold residence, No. 14, Talbot-square, Hyde-park, term 99 years from 1850, ground-rent £20 per annum.—Sold for £1,750.

Leasehold residence, No. 18, Talbot-square; term 99 years from 1850, ground-rent £20 per annum.—Sold for £1,600.

Leasehold residence, No. 42, Sussex-gardens, Hyde-park; term, 78 years from 1842; ground-rent £16 per annum, let on lease at a rent of £132 5s. per annum.—Sold for £1,600.

Leasehold residence, No. 52, Sussex-gardens; term 99 years from 1850, ground-rent £25 per annum.—Sold for £1,760.

Freehold residence, No. 31, Lansdown-crescent; let at £100 per annum.—Sold for £1,580.

Freehold residence, No. 32, Lansdown-crescent; let at £105 per annum.—Sold for £1,570.

Freehold residence, No. 33, Lansdown-crescent; let at £100 per annum.—Sold for £1,430.

By Mr. T. STEPHENS.

Freehold house and Shop, situate at Staines, with residence adjoining; let at £31 10s. per annum.—Sold for £1,370.

## LONDON GAZETTES.

### Winding-up of Joint Stock Companies.

FRIDAY, March 13, 1863.

UNLIMITED IN CHANCERY.

Doncaster Permanent Benefit Building and Investment Society.—Order to wind up, March 11. V. C. Wood has fixed March 25, at 1.30, for the appointment of an Official Liquidator of this Company.

LIMITED IN CHANCERY.

Bristol and Forest of Dean Coal Company (Limited).—Creditors are, on or before April 9, to send their names and addresses, and particulars of their debts or claims, and the names and addresses of their solicitors, to George Thomas, of Bristol, Public Accountant, who has been appointed Official Liquidator of this Company.

National Credit and Exchange Company (Limited).—V. C. Kindersley has fixed March 23 at 12, for the appointment of an Official Liquidator of this Company.

TUESDAY, March 17, 1863.

LIMITED IN CHANCERY.

Cheshire Patent Salt Company (Limited).—Order to wind up, March 9. V. C. Kindersley.

### Creditors under 22 & 23 Vict. cap. 35.

*Last Day of Claim.*

FRIDAY, March, 13, 1863.

Barthwick, Margaret, Penrith, Cumberland, Widow. March 31. Varty.

Dixon, Benj, Stoke Newington, Flour Factor. May 6. Hilleary, Fenchurch-bldgs, Fenchurch-st.

Dixon, Rbt, Down-cottages, Rectory-rd, Shacklewell, Middlx, Flour Factor. May 6. Hilleary, Fenchurch-bldgs, Fenchurch-st

Dupuy, Sophia, Wimpole-st, St Marylebone, Middlx, Widow. May 2. Birch & Co, Lincoln's-inn-fields.

Eames, Ann, Grange-villas, Queen's-rd, Dalston, Spinster. April 15, Drake, Down-cottages, Shacklewell-lane, Middlx.

Evans, Thos, Congleton, Chester, House Steward. April 30. Shaen & Roscoe, Bedford-row, Holborn.

Mills, Charlotte, Southampton, Spinster. April 15. Vallance & Vallance Essex-st, Strand, and Dryden, Lincoln's-inn-fields.

Newton, John, Gainsborough, Plumber. April 7. Heaton & Oldman Lincoln.

Shirtcliffe, Eliz, Sheffield, Widow. April 18. Fernell, Sheffield.

TUESDAY, March 17, 1863

Bremner, Alexander, Albion-rd, Holloway, Civil Engineer. May 10. Nicholson, Lime-st, London.

Dowding, John, Bishops Froome, Hereford, Gent. May 1. Evans & Beddoe, Hereford.

Green, Edw, Reading, Berks, Esq. April 12. Fisher & Keays, Bedford-row.

Greenwood, Fredk, Norton Conyers, near Ripon, Esq. May 1. Taylor & Co, Bradford.

Pike, John, Fisherton Anger, Wilts, Gent. July 9. Sutton, Salisbury.

Prosser, Fredk, Lpool, Emigration Agent. April 25. Tyrer, Lpool.

Prosser, Jane, Lpool, Widow. April 25. Tyrer, Lpool.

Standly, Ann, Vorley Villas, Upper Holloway, Middlx. May 1. Hilliard & Co, Gray's-in-sq.

Young, John, Westridge, near Ryde, Isle of Wight, Esq. June 24. Harrison, & Co, Bedford-row.

### Creditors under Estates in Chancery.

*Last Day of Proof.*

FRIDAY, March 13, 1863.

Borrett, Francis Turner, Mincing-lane, London, Wine Merchant. April 9. Sayres v. Borrett, M.R.

Bonlton, Geo Garrard Abraham, Victoria-pl, Stoke Newington-rd, Middlx, Gent. March 20. Manwaring v. Bacon, V. C Wood.

Elliot, Wm, Andover. April 13. Llewellyn v. Edwards, V. C. Stuart.

Hardy, Edw, Sharow, Ripon, Esq. June 9. Hardy v. Moore, M.R.

Hill, Geo, Brades Village, Oldbury, Victualler. April 10. Burleigh v. Hill, V. C. Stuart.

Sewell, Rev. Francis Hill, Lindfield, Sussex, Clerk. April 14. Harrison v. Trotter, V. C. Stuart.

Tichborne, Sir Jas Francis Doughty, Bart., Tichborne-park, Hants. April 11. Mostyn v. Emanuel, V. C. Wood.

West, Wm Jas, Tonbridge, Surgeon. April 10. West v. West, V. C. Stuart.

Young, Hy John Girdlestone, Durleigh, Somerset, Clerk. April 4. M.R

TUESDAY, March 17, 1863.

Cooke, Mary, Hulme-pl, Salford, Spinster. April 18. Moss v. Moss, M.R.
Cross, John, Chesterton, Cambridge, Boat Builder. April 15. Cross v. Swann, M.R.
Cunnington, Jno, Glinton, Northmptn, Labourer. April 15. V. C. Stuart.
Harris, W, Bloomsbury-sq, Middlx, Esq. April 13. Harris v. Temple, M.R.

## Assignments for Benefit of Creditors.

FRIDAY, March 13, 1863.

Ashworth, Jas, Ashton-under-Lyne, Builder. Feb 16. Lord, Ashton-under-Lyne.

TUESDAY, March 17, 1863.

Davies, Rees, Cwm Back, St Clear's, Carmarthen, Draper. Feb 9. Henderson, Bristol.
Freeman, Wm, Ripley, York, Bricklayer. March 7. Hirst & Capes, Boroughbridge.
Lancaster, Jos, Carlisle, Innkeeper. March 13. McAlpin, Carlisle.
Morgan, Rbt, Llanelly, Glamorgan, Grocer. Nov 11. Henderson, Bristol.
Shorland, John, Broadmead, Bristol, Furniture Broker. Dec 23. Henderson, Bristol.

## Deeds registered pursuant to Bankruptcy Act, 1861.

FRIDAY, March 13, 1863.

Anderson, Thos Francis, Lpool, Attorney-at-Law. Feb 4. Comp. Reg March 13.
Bamforth, Wm Hy, Rochdale, Greengrocer. Feb 12. Asst. Reg March 12.
Benjamin, Abraham, Bevis Marks, London, Watchmaker. Feb 11. Comp. Reg March 11.
Capper, John, & Frodk Wm Capper, Water-lane, London, Merchants. Feb 17. Asst. Reg March 9.
Cowap, Edmund Stephenson, Victoria Pathway, Queen's Park, Chester, Commercial Traveller. Feb 27. Conv. Reg March 11.
Dennis, Wm, Aldermanbury, Warehouseman. Feb 13. Comp. Reg March 12.
Dickinson, Caroline, Carlisle, Milliner. Feb 13. Asst. Reg March 12.
Eady, Wm, Newgate Market, Salesman. Feb 16. Conv. Reg March 12.
Evans, Rchd Baugh, Newport, Monmouth, Draper. Feb 11. Asst. Reg March 11.
Evans, Thos, Lawrenny, Pembroke, Ship Builder. Feb 16. Asst. Reg March 9.
Evason, Saml, Market Drayton, Salop, Publican. Feb 24. Asst. Reg March 11.
Gostick, Jos, New Sleaford, Lincoln, Cordwainer. Feb 9. Conv. Reg March 9.
Grimshaw, Edw Clark, Denton, Lancaster, Mechanic. Feb 13. Asst. Reg March 11.
Hall, Fredk Penny, Manorbier, Pembroke, Grocer. Feb 13. Asst. Reg March 9.
Harris, Eli, Kates Hill, Dudley, Pork Butcher's Assistant. March 4. Conv. Reg March 13.
Harwood, Elisha, Over Darwen, Lancaster, Joiner. Jan 24. Asst. Reg March 12.
Hastwell, Rbt, Croft, York, Grocer. March 5. Asst. Reg March 9.
Healey, Wm Thos, Hadley, near Barnet, Brewer. Feb 11. Comp. Reg March 11.
Hutchinson, Gilbert, Ticknall, Derby, Victualler. Feb 11. Conv. Reg March 11.
Jones, John, Bath, Linen Draper. Feb 18. Asst. Reg March 12.
Jones, John, Banker's-hill, near Willenhall, Stafford, Timber Dealer. Feb 23. Comp. Reg March 11.
Jones, Rbt Parker Clyde House, Tunbridge Wells, Gent. Feb 12. Asst. Reg March 12.
Lake, John, Penge, Surrey, Builder. Feb 11. Asst. Reg March 11.
Mann, Jas Alexander, Fenchurch-st, Merchant. March 2. Conv. Reg March 11.
Powis, Littleton, Wolverhampton, Ale Merchant. Feb 27. Asst. Reg March 11.
Robinson, Jas, Manch, Baker. Feb 17. Asst. Reg March 10.
Sefton, John, Birm, Grocer. Feb 12. Asst. Reg March 11.
Spicer, Thos, Lambourne, Berks, Gent. Feb 7. Asst. Reg March 7.
Sykes, Thos, Dewsbury, General Dealer. Feb 12. Comp. Reg March 11.
Thomas, Jos, Glyn Neath, Glamorgan, Bootmaker. Feb 13. Conv. Reg March 12.
Turner, Edw, Chard, Somerset, Tea Merchant. March 2. Conv. Reg March 9.

TUESDAY, March 17, 1863.

Ablewhite, Edw, Mount-st, Grosvenor-sq, Middlx, Coach Maker. March 6. Asst. Reg March 13.
Bromley, Thos, P., Erith, Kent, Jeweller. March 6. Comp. Reg March 16.
Burrell, Thos, Jarrow, Durham, Dealer in Provisions. Feb 16. Conv. Reg March 13.
Colley, Rchd, Bath, Ironmonger. Feb 20. Asst. Reg March 14.
Drury, Wm, Market Drayton, Cooper. Feb 23. Asst. Reg March 16.
Duffus, Chas, Lpool, Builder. Feb 20. Asst. Reg March 16.
Evans, Wm, Cardiff, Bootmaker. March 9. Comp. Reg March 16.
Hooper, Chas, Southampton-bldgs, Chancery-lane, Gent. March 9. Conv. Reg March 13.
Huddlestone, Geo, & Gervase Cater, Lincoln, Timber Merchants. Feb 14. Conv. Reg March 13.
Johnson, Geo Jas, Chatham. March 18. Comp. Reg March 16.
Jones, Jno, Quaker's-yd, near Pontypridd, Grocer. March 11. Comp. Reg March 16.
Jowsey, Wm, & Wm Coulson Senior, Kingston-upon-Hull, Builders. March 5. Asst. Reg March 16.
Knott, John, Abberley, Worcstr, Publican. Feb 20. Comp. Reg Mar 14.
Latham, Thos, Chester, Brush Manufacturer. Feb 19. Conv. Reg Mar 16.
Lawson, Peter, Trimdon Durham, Clothier. Feb 16. Asst. Reg Mar 16.
Long, J., Brackley, Nrthmptn, Cabinet Maker. Feb 19. Conv. Reg Mar 14.
Low, Andrew Halley, Bolton, Builder. Feb 28. Conv. Reg March 13.
Malkin, Wm, Macclesfield, Victualler. Feb 14. Conv. Reg March 14.
Marsh, Jno Wm, Tipton, Stafford, Printer. Feb 18. Comp. Reg Mar 16.
Marshall, Saml C., Hulme, Provision Dealer. Feb 16. Comp. Reg Mar 14.
Milton, Lavinia Eliz, New Church-st, Lincoln-grove, Middlx, Linen Draper. Feb 25. Comp. Reg March 16.
Phillips, Thos, Biddulph, Stafford, Tailor. Mar 7. Asst. Reg Mar 16.
Platmaner, Jos, Carpenter's-bldgs, London-wall, Importer of Foreign Goods March 13. Asst. Reg March 16.
Pye, Wm R., Gt Yarmouth, Fish Merchant. Mar 4. Conv. Reg Mar 16.
Richards, Edw, Tredegar, Monmouth, Tailor. Mar 14. Comp. Reg Mar 16.
Rowlands, Thos, Llangollen, Denbigh, Grocer. Feb 26. Asst. Reg Mar 14.
Sheard, Saml, Batley, York, Woollen Minister. Feb 19. Asst. Reg Mar 16.
Shepherd, Christopher, Rbt Bingham Kay, & Geo Shepherd, Bolton, Cotton Spinners. Jan 19. Comp. Reg March 16.
Sherratt, Thos, Carlisle-ter, Fairfield-rd, Bow, Flour Salesman. March 5. Comp. Reg March 13.
Skinner, W., Basinghall-st, Timber Merchant. Feb 13. Comp. Reg Mar 10.
Smith, John, Portsmouth, Baker. Feb 17. Conv. Reg March 16.
Strecks, Rbt, St George's-pl, Walworth-rd, Surrey, Carriage Builder. March 10. Comp. Reg March 16.
Wade, Wm Hy, Oldham, Grocer. Feb 13. Asst. Reg March 13.
Weir, Wm, Birkenhead, Grocer. Feb 26. Asst. Reg March 14.
Wilde, Jas, & John Heppard Wilde, Manch, Dealers in Druggists' Sundries. March 2. Comp. Reg March 16.
Winsbergh, Hy, North Shields, Jeweller. March 5. Asst. Reg March 11.
Yates, Thos, Blackburn, Draper. Feb 19. Asst. Reg March 14.

## Bankrupts.

FRIDAY, Mar. 13, 1863.

To surrender in London.

Akass, Chas, Heathpool-st, Hall-park-pl, Paddington, Commission Horse Dealer. Pet March 11 (for pau). March 30 at 11. Aldridge.
Armes, Benj, King-st, Chapel-st, Stratford, Baker. Pet March 9. March 31 at 11. Sedwick, Lombard-st.
Ballard, John, Princes-st, Deal, out of business. Pet March 6. March 23 at 3. Doyle, Verulam-bldgs, Gray's-inn, for Delasaux, Canterbury.
Barber, Sarah, Penton-row, Walworth-rd, Surrey, Tailoress. Pet March 12. March 24 at 3. Lewis & Lewis, Ely-place.
Blank, Jas, Pentonville-rd, Middlx, Commercial Clerk. Pet March 11 (for pau). March 26 at 1. Aldridge.
Blundell, Thos, Bromley, Kent, Fishmonger. Pet March 9. March 24 at 3. Davies, Mincing-lane.
Butler, Hy, New Otney-st, Walworth, Surrey, Dealer in Furs. Pet Feb 28. March 23 at 1. Waring, Poultry.
Fleming, John, High-st, Whitechapel, Paraffin Lamp Manufacturer. Pet March 11. March 31 at 12. Hill, Basinghall-st.
Green, Wm Ben Nicholas, Pickering-pl, Paddington, Middlx, Clerk. Pet March 11. March 31 at 11. Lawrence & Co, Old Jewry-chambrs.
Hawthorn, Edwin, Smith-st, Stepney, Brazier. Pet March 5. March 24 at 3. Cooper, Charing-cross.
Hill, Alf Wm, Beaconsfield-st, Pimlico, Middlx, out of business. Pet March 11. March 26 at 1. Marsden, Walbrook.
Jackson, Fredk Maltby, North-row, North Woolwich, Baker. Pet March 11. March 31 at 12. Hare, Old Jewry.
McNulty, Bernard John, Alma-ter, Fentiman's-rd, Clapham. Pet March 7. March 26 at 1. Lewis, Hackney-rd.
Probert, Wm, Castle-st, Leicester-sq, Middlx, Coffee-house Keeper. Pet March 9. March 23 at 2. Marshall, Basinghall-st.
Stevens, Wm Richd, Plumstead-rd, Plumstead, Builder. Pet March 9 March 23 at 12. Orchard, John-st, Bedford-row.
Warner, Matilda, Lime-st, Widow. Pet March 9. March 31 at 11. Eaden, Gray's-inn-sq.
Winterborne, Robt Geo, & Isaac Rowles, Abingdon, Berks, Builders. Pet Feb 27. March 23 at 2. Meymott, Albion-pl, Blackfriars-bridge.
Wilson, Robt, John's-ter, Southampton-st, Camberwell, Surrey, Carpenter. Pet March 9. March 23 at 3. Silvester, Great Dover-st, Newington.

To Surrender in the Country.

Banks, Wm Hy, Liverpool, Metal Broker. Pet March 9. Liverpool March 26 at 11. Conway, Lpool.
Beardsley, Edmund, Kensington, Derby, Joiner. Pet March 11. Derby, March 27 at 12. Leach, Derby.
Box, John, Chipshop, nr Tavistock, Devon, Blacksmith. Pet March 9. Tavistock, April 11 at 10. Paull & Linton, Plymouth.
Barton, Edw, Truro, Cornwall, Dealer in Earthenware. Pet March 11. Exeter, March 27 at 1. Hirtzel, Exeter.
Churchyard, John, St. Andrew, Norwich, Pork Butcher. Pet March 9. Norwich, March 30 at 11. Chittock, Norwich.
Clarke, Stanton, Ulceby, Lincoln, Blacksmith. Pet March 9. Barton-on-Humber, March 31 at 12. Bygott, Barton-on-Humber.
Cresar, Thos, Barrow, Furness, Engineer. Pet March 9. Ulverston, March 23 at 11.30. Rolph, Scontergate, Ulverston.
Derbyshire, Joseph, Lower Darwen, Lancaster, Innkeeper. Pet March 3. Manch, March 25 at 12. Sale & Co, Manch.
Eckersley, Jas, Eccley Moor, Lancaster, Beer Seller. Feb 12. Bolton, March 25 at 10. Richardson, Bolton.
Edwards, Thos, Provision Dealer, Manch. Pet March 11, Manch, March 24 at 11. Crowther & Farrington, Manch.
Gifford, Jas, Stoke-upon-Trent, Tinman. Pet March 6. Stoke-upon-Trent, March 23 at 2. Tennant, Hanley.
Haigh, Jas, Joseph Haigh, & Wm Livesey, Wellhouse, Golcar, York, Woollen Manufacturers. Pet March 11. March 26 at 11. Sykes, Huddersfield, and Bond & Barwick, Leeds.
Hill, Milson, Newent, Gloucester, Baker. Pet March 11. Newent, March 26 at 12. Wilkes, Gloucester.
Hunt, Jas, Beaminster, Dorset, Engineer. Feb 12. Bridport, March 28 at 11. Manley, Bridport.
Kitson, Chas, Sheffield, File Cutter. Pet March 12. Sheffield, April 1 at 2. Broadbent, Sheffield.
Lenney, Thos, Kingston-upon-Hull, Shoemaker. Pet March 9 (for pau). Hull, March 20 at 11.30. Read, Hull.
Lord, John, Rochdale-rd, Manch, out of business. Pet March 9. Manch, April 6 at 9.30. Swan, Manch.
Loveridge, Robt, Redbrook, Gloucester, out of business. Pet March 7. Monmouth. March 24 at 12.
Markwick, John, Waterloo-st, Hove, Coachmaker. Pet March 9. Brighton, April 1 at 11. Goodman, Brighton.
Niven, John M'Clymont, Brymbo, Denbigh, Lime Work Manager. Pet March 9. Wrexham, March 24 at 10.30. Jones, Wrexham.
Normanby, Alf Mackenzie, Southampton, Tailor. Pet March 11. Southampton, March 25 at 12. Mackay, Southampton.
Palmer, Thos, Harbury, Warwick, Butcher. Pet March 7. Southam. March 21 at 2.30, Griffin, Leamington.

Parkin, Norman Bennett, Sheffield, Cabinet Case Maker. Pet March 6. Sheffield, March 26 at 2. Broadbent, Sheffield.
Ratliff, Hy Geo, Droylsden, nr Manch, out of business. Pet March 11. Salford, March 26 at 9.30. Swan, Manch.
Rix, Chas, Felstead, Essex, Baker. Pet March 9. Dunmow, March 25 at 10. Cardinall, Halstead.
Rymell, Wm, Hampton, Arden, Warwick, Victualler. Pet March 9. Birm, March 27 at 12. James & Co, Birm.
Sneath, Chas. St Clement Without, Norwich, Lace Maker. Pet March 7. Norwich, March 30 at 11. Sadd, Norwich.
Solea, Joseph, & John Solea, Kingston-upon-Hull, Looking Glass Dealers. Pet Feb 26 (for pau). Hull, March 20 at 11. Reed, Hull.
Southall, John, Little Witley, Worcester, Farmer. Pet March 11. Birm, April 13 at 12. Wilson, Worcester.
Thomas, Hy Wm, Worcester, Boot Maker. Pet March 11. Birm, March 27 at 12. Wright, Birm.
Vellacott, Wm, Lynton, Devon, Victualler. Pet March 4 (for pau). Exeter, March 25 at 11. Flood, Exeter.
Williams, John, Lantrissant, Glamorgan, Boot Maker. Pet March 9. Pontypridd, March 26 at 11. Thomas, Pontypridd.
Wilkinson, Jas, Huddersfield, Engraver. Pet March 11, Leeds, March 30 at 11. Haigh, Huddersfield, and Bond & Barwick, Leeds.
Wright, Wm, Barnard Castle, Durham, Linen Draper. Pet March 5. Newcastle-upon-Tyne, March 25 at 11.30. Brignal, Durham.
Young, Geo, Chester-le-street, Durham, Draper. Pet March 11. Newcastle-upon-Tyne, March 25 at 12. Story, Newcastle-on-Tyne.

TUESDAY, March 17, 1863.

To Surrender in London.

Baston, Hy, St Agnes-ter, Tabernacle-sq, Finsbury, Baker. Pet March 13. March 31 at 12. Terry, King-st.
Davison, Jas Peter, & Gerritt Peter Seven, Limehouse-causeway, Middlx, Outfitters. Pet March 13. April 2 at 11. Abbott, St Mark-st, Gt Prescott-st.
Dimmock, Chas, Cable-st, Wellclose-sq, Whitechapel, Grocer. Pet March 13. March 30 at 12. Holt, Quality-ct, Chancery-lane.
Dohoo, Godfrey Cornelius, Connaught-ter, Edgeware-rd, Paddington, Tobacconist. Pet March 12. April 2 at 11. Wood, Bucklersbury.
Eager, Robt, Hotwells, Bristol, Horse Dealer. March 9. March 30 at 11. Aldridge.
Eaton, Wm, Thornham Parva, Suffolk, Farmer. Pet March 12. March 30 at 12. Pollard, Ipswich, and Shirriff & Son, Lincoln's-inn-fields.
Fischer, John Michael, Hermes-st, Pentonville-rd, out of business. Pet March 14. April 2 at 11. Silvester, Gt Dover-st, Newington.
Garcia, Daniel, King-st, St James's-pl, Aldgate, Fruiterer. Pet March 13. March 30 at 11. Hare, Old Jewry.
Gashion, Saml, Lower-st, Islington, Middlx, Dealer in Marine Stores. Pet March 12. March 31 at 1. Lewis & Sons, Wilmington-sq.
Hayes, Chas, Gt College-st, Camden Town, Perfumer. Pet March 13. March 30 at 11. Greaves, Gray's-inn-pl, Gray's-inn.
Hood, Saml, Upper Thames-st, London, Iron Merchant. Pet March 11. March 30 at 12. Linklaters & Hackwood, Walbrook.
James, Wm, York-pl, Upper Mitcham, Surrey, Assistant to a Chemist. Pet March 12 (for pau). March 31 at 12. Aldridge & Bromley.
Jones, Morris, Mitre-st, Milk-st, Cheapside, Woollen Warehouseman. Pet March 13. March 31 at 1. Drew, New Basinghall-st.
Kerrison, Jas, Timber-hill, Norwich, Grocer. Pet March 12. March 30 at 1. Doyle, Verulam-buildings, Gray's-inn, for Sadd, Norwich.
Lazarus, Saml Mark, Barnes-pl, Mile End-rd, out of business. Pet March 16 (for pau). April 2 at 12. Aldridge.
Lenzberg, Louis, Oxford-st, Middlx, Cornice Pole Manufacturer. Pet March 13. March 30 at 1. Woolf, King-st, Cheapside.
Morrall, John Jas, Eden-pl, Old Kent-rd, Leather Dresser. Pet March 12. March 31 at 12. Wood, Coleman-st-buildings.
Pearman, Geo, Henley-on-Thames, Bootmaker. Pet March 12. March 30 at 11. Berkeley & Calcott, Lincoln's-inn-fields, and Cooper, Henley.
Peirson, Saml, Sun-st, Bishopsgate, Furnishing Ironmonger. Pet March 11. March 30 at 1. Lawrance & Co, Old Jewry-chambers.
Pront, Chas, Gt Titchfield-st, Oxford-st, Middlx, Tailor. Pet March 14. March 31 at 1. Hill, Basinghall-st.
Ralph, John, River-st, York-rd, King's-cross, Middlx, Gas Lighter on the G. N. R. Pet March 13. March 30 at 11. Marshall & Son, Hatton-garden.
Reed, Wm, Bermondsey-sq, St Mary Magdalen, Surrey, Baker. Pet March 12. March 31 at 12. Foord, Pinner's Hall, Old Broad-st.
Renwick, Reuben, Gracechurch-st, Stationer. Pet March 11. March 30 at 12. Preston & Dorman, Gresham-st.
Robinson, Joseph Galliffe, Delamere-crescent, Paddington, Retired Lieutenant in the H.E.I.C.S. Pet March 12. March 31 at 12. Harrisons, Walbrook.
Rushworth, Geo, Acre-ter, New-rd, Wandsworth-rd, Mason. Pet March 13. March 30 at 11. Dubois, Coleman-st.
Sparham, Hy Mills, Basinghall-st, Attorney-at-Law. Pet March 6. March 30 at 11. Thomson & Son, Cornhill.
Strange, Fredk Wm, Hatfield, Hereford, Straw Hat Manufacturer. Pet March 14. March 30 at 11. Marshall & Son, Hatton-garden.
Thorne, Jas Hy, Chester-st, Pimlico, Comm Agent. Pet March 13. March 30 at 2. Harrison & Lewis, Old Jewry.
Walton, Wm Pitt, Bury-st, Bloomsbury, Middlx, out of business. Pet March 13. March 30 at 1. Woolf, King-st, Cheapside.
Wood, Robt, Woodchester-st, Harrow-rd, Paddington, Stone Mason. Pet March 13 (for pau). March 31 at 12. Aldridge & Bromley.
Woodman, Thos Peter, High-st, Sandgate, out of business. Pet March 6. March 30 at 1. Nichols & Clark, Cook's-court, Lincoln's-inn.

To Surrender in the Country.

Allan, Matthew, Boston Spa, York, Seed Merchant. Pet March 6. Leeds, March 27 at 11. Simpson, Leeds.
Appleton, Chas Hy, Bristol, Clerk. Pet March 13. Bristol, March 27 at 11. Clifton & Brooking, Bristol.
Astin, Jonathan, Bury, Grocer. Pet March 11. Bury, April 2 at 11. Watson, Bury.
Baker, Jas, Lpool, Shoe Maker. Pet March 13. Lpool, March 31 at 11. Henry, Lpool.
Basford, Wm, Dale Hall, Burslem, Stafford, Brick Maker. March 13. Birm, April 10 at 12. Whitmore, Birm.
Blackmore, Arthur, Castleford, York, Innkeeper. Pet March 14. Leeds, April 13 at 11. Bradley, Castleford, and Bond & Barwick, Leeds.
Blagburn, John Jas, & Robt Blagburn, sen, Gateshead, Grease Merchants. Pet March 12. Newcastle-upon-Tyne, March 30 at 12. Story, Newcastle-on-Tyne.
Booth, Edwin, Shiffnall (and not Sheffield, as printed in the Gazette of the 10th inst.).
Borsay, Daniel, Bolton, Cart Sheet Manufacturer. Pet March 12. Bolton, March 28 at 10. Edge, Bolton.
Bushell, Alfred, Sandwich, Market Gardener. Pet March 13. Sandwich, March 28 at 12. Mourilyan, Sandwich.
Clifford, Robt, Stanton, St Quintin, Wiltshire, out of business. Pet March 13. Chippenham, March 26 at 10. Bakewell, Chippenham.
Cogswell, Hy Dixon, Bristol, Pawnbroker. Pet March 14. Bristol, March 28. Benson, Bristol.
Crook, John, & Thos Crook, Chorley, Lancaster, Fish Dealers. Pet March 13. Manch, April 2 at 11. Gardener, Manch.
Davis, Chas, Bristol, Commercial Traveller. March 9. Bristol, March 27 at 1. Bevan & Co, Bristol.
Ellis, Wm, Pontypool, Monmouth, Grocer. Pet March 12. Bristol, March 27 at 11. Greenway & Bytheway, Pontypool, and Bevan & Co, Bristol.
Freebody, Jane, Seacombe, Chester, Teacher. March 9. Lpool, March 30 at 3. Evans & Co, Lpool.
Gough, Richd, Hinton-on-the-green, Gloucester. March 12. Bristol, March 27 at 11. Brittan, Bristol.
Griffiths, Joseph, Leintwardine, Hereford, Saddler. Pet March 11. Ludlow, April 15 at 11. Weyman, Ludlow.
Grocock, Joseph, Ashted, Birm, File and Tool Grinder. Pet March 11. Birm, April 13 at 10. Powell & Son, Birm.
Gwilliam, Wm, Pucklechurch, nr Chipping Sodbury, Gloucester, Nailer. Feb 13. Chipping Sodbury, March 26 at 2. Sabine, Bristol.
Hingeston, George, Lyme Regis, Dorset, Attorney and Solicitor. Pet March 12. Exeter, April 1 at 12. Clarke, Exeter.
Hollis, Geo, Handsworth, Stafford, Hay Dealer. Pet March 16. Birm, April 10 at 12. Mitton, Birm.
Horton, Joseph, Bromsgrove, Worcester, Baker. Pet March 13. Birm, April 13 at 12. Southall & Nelson, Birm.
Hudson, Saml, Rawden, nr Otley, York, Cloth Weaver. Pet March 7. Otley, March 28 at 12. Harle, Leeds.
Hudson, Thos, Fleetwood, Lancaster, Fishmonger. Pet March 12. Lpool, March 27 at 12. Clarkson, Fleetwood, and Haigh & Deane, Lpool.
Ingram, Geo, Coventry, out of business. Pet March 11. Coventry, March 31 at 3. Smallbone, Coventry.
Kersham, John, Tredegar, Monmouth, Draper. March 9. Bristol, March 27 at 11. Brittan, Bristol.
Kinsey, Geo Baker, Bardwell, Suffolk, Grocer. Pet March 11. Bury St. Edmunds, March 25 at 10. Walpole, Beyton.
Leach, Geo, Norton, Durham, Painter. Pet March 14. Stockton, March 30 at 1. Richmond, Stockton.
Lewis, John, Lpool, Butcher. Pet March 12. Lpool, March 31 at 3. Husband, Lpool.
Middleton, Wm, Packmoors, Warwick, out of business. Pet March 13. Birm, April 10 at 12. Parry, Birm.
Mort, John, Bolton, Potatoe Dealer. Pet March 13. Bolton, April 1 at 10. Edge, Bolton.
Oldham, Joseph, Basford, Nottingham, Bleacher. Pet March 14. Nottingham, April 1 at 11. Cowley & Everall, Nottingham.
Oultram, Joseph, Over, nr Winaford, Chester, Builder. Pet March 14. Lpool, March 30 at 11. Dodge & Wynne, Lpool.
Rees, Wm, Roath, nr Cardiff, Tailor. March 9. Cardiff, March 28 at 11. Langley, Cardiff.
Roebuck, Wm Mawson, Hawksworth, nr Otley, York, Blacksmith. Pet March 7. Otley, March 28 at 12. Harle, Leeds.
Rowsell, Saml, Buckland, St. Mary, Somerset, Carpenter. Pet March 13. Chard, March 30 at 10. Paull, Ilminster.
Seedhouse, Wm, Cannock Chase, Stafford, Innkeeper. Pet. Walsall, March 25 at 12. Wilkinson, jun, Walsall.
Stabb, John, Ellacombe, Torquay, Carpenter. Pet Feb 28. Newton-Abbot, March 31 at 11. Carter, Torquay.
Stabb, Wm, Torquay, Carpenter. Pet Feb 28. Newton Abbot, March 31 at 11. Carter, Torquay.
Stockwell, Geo Richards, Huntingdon, Tailor. Pet March 13. Huntingdon, March 28 at 10. Hunt, Cambridge.
Taylor, Edward, Luton, Bookseller. Pet March 13. Luton, March 28 at 12. Simpson, St Albans.
Thomas, Thos, Pyle and Kenfig, Glamorgan, Boot Maker. Pet March 5. Bridgend, March 28 at 11. Tripp, Swansea.
Wallis, Anthony, Manch, Beerseller. Pet Feb 13 (for pau). Manch, April 6 at 9.30. Gardner, Manch.
Waterworth, Hartley, Barnoldswick, York, Greengrocer. Pet March 5. Skipton, March 27 at 11. Robinson, Skipton.
Watson, Geo, Barkway, Hertford, Bricklayer. Pet March 9. Royston April 1 at 12. Bowker, Bishop's Stortford.
Wilkinson, Wm, Hulme, Bookkeeper. Pet March 13. Salford, March 28 at 9.30. Dawson, Manch.
Williams, Wm, Dowlais, Merthyr Tydfil, Finer. Pet March 14. Merthyr Tydfil, March 28 at 2. Plews, Merthyr Tydfil
Willing, Geo, Fratton, Portsea, Caulker in H. M.'s Dockyard. Pet March 11. Portsmouth, March 27 at 11. Pullard, Portsea.

BANKRUPTCIES ANNULLED.

FRIDAY, March 13, 1863.

Birt, Wm Jacob, Norfolk Hotel, Paddington, Gent. Feb 26.

TUESDAY, March 17, 1863.

Braithwaite, John Walker, Chipping, Barnet, Schoolmaster. March 13.
Heptonstall, Chas, Kirkburton, York, Stay Manufacturer. March 12.
Marsden, Geo, Ossett, Dewsbury, Cloth Manufacturer. March 13.

## BANKRUPTCIES IN IRELAND.

Barry, Thos, Cork, Grocer. To surr Mar 24, and April 14.
Browning, David Roche, & Wm Hy Browning, Buttervant, Cork, Millers. To surr Mar 27 and April 17.
Cahill, Jas, Granard, Draper. To surr Mar 27 and April 17.
Gallagher, Rchd, Dublin, Tailor. To surr Mar 27 and April 17.
Healey, John, Dublin, Victualler. To surr Mar 31 and April 21.
Mallon, Phillip, Enniskillen, Bootmaker. To surr Mar 24 and April 14.
O'Leary, Rbt, Dublin, Grocer. To surr Mar 24 and April 16.
Pentony, John, Rathfarnham, Dublin, Victualler. To surr March 24 and April 14.